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# THE ANNALS

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## AMERICAN INDIANS AND AMERICAN LIFE

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## FOREWORD

White Americans seem continually to be rediscovering the Indians. In the last few years, a growing Indian population on a limited land base, a vigorous national controversy over desegregation, a turn in the Indian policy of the federal government, and world-wide attention to questions of colonialism and minorities have been among the forces renewing America's interest in her Indian citizens.

The student of Indian affairs recognizes that to some degree the status of Indians in American society is similar to the status of other minorities. To a significant degree, however, Indian experience has been different, for unlike any other minority group in the nation, they were here, living in unified societies, when the European settlers came. Their response to invasion may have as much in common with the minorities in Eastern Europe as with the willing and unwilling migrants to America, torn as they were from their cultural roots.

There is scarcely a major issue of policy in the United States that has not been involved in the relationships of Indians and whites. Questions of universal citizenship and franchise; of land use and conservation; of the "melting pot" versus pluralism; of prejudice, discrimination, and segregation; of colonialism; of the separation of church and state; of private property and communal property; and of the extent and nature of government responsibility for education—to mention several basic issues—have all involved policy questions concerning Indians.

We need scarcely stress the importance and value of a study of the place of American Indians in American life. To the social scientist, it offers a valuable field for the testing of theories of social and cultural change, of acculturation, of personality development, and the like. To the policy maker, "the Indian question" is a key test of democracy with which our society has struggled for generations. To the student of international affairs, it offers experience—much of it negative, of course—and an important testing ground for the study of the results of culture contact between highly industrialized and "underdeveloped" societies. And in its own right, as a problem with difficult questions of justice and equality involving a large group of human beings, the analysis of the status of American Indians challenges us all.

Clearly the authors of this volume do not agree on all aspects of the question of the place of American Indians in American life. There are some disagreements in interpretation of facts, in method, and even in objective. While we have not sought to have all possible points of view represented—for our aim has been a scholarly review of several aspects of Indian life today, not a policy debate—we nevertheless welcome the several points of view that naturally appeared as the various authors explored their subjects. Each author writes from a wealth of experience. The interaction of their views can bring us to a more adequate understanding of American Indians and toward a resolution of the difficult questions still before us in establishing full equality and freedom for Indians.

GEORGE E. SIMPSON  
J. MILTON YINGER



# Indian and European: Indian-White Relations from Discovery to 1887

By D'ARCY McNICKLE

Abstract: When the American continent was settled by Europeans, they saw as a mission the conversion of the natives into Europeans. Needing their friendship and aid they treated them as free men, true owners of the land, but failed to understand their concept of land use and tenure. A policy of fair dealing soon faced the inexorable facts of a rapidly growing white population eager for land. The westward movement pushed the Indian farther and farther away from the Atlantic shore. Their land boundaries were no longer inviolate and with the Dawes Act of 1887, the final invasion of Indian homelands began.—Ed.

IT is a source of continuing surprise that the American Indians have not adjusted their lives to the national life, that their special problems persist, and that their ethnic identity does not dissolve. This surprise is not limited to the uninformed person who rarely has occasion to concern himself about such matters, but is particularly experienced by individuals who have an occupational interest in the fate of the American Indian: administrative officials, educators, legislators, missionary workers, and the like.

A review of the historical relations between the first inhabitants of the Western Hemisphere and the later coming Europeans may have an uncommon importance in our day, if in reconstructing this past we can identify and describe not the events alone but the attitudes and passions and judgments which lay behind the events. The value would consist in helping us to see ourselves as other people have seen us, and from our own performance—especially its failures—learn to improve our methods in the field of human relations. The pres-

ent review must be brief, but it can be suggestive.

## THE PERIOD OF DISCOVERY

It was a fateful concurrence that the New World should be discovered at a time when Europe was awakening from its long medieval sleep and moving in many directions simultaneously to assert the mastery of Western man. In a single lifetime (1450-1520) spanning Columbus' momentous voyages, the printing press came into use in Europe, making it possible, in time to come, to spread knowledge to the masses; seafaring men overcame their fear of unknown land and water and pushed exploration westward into the Atlantic and southward along the coast of Africa; humanist scholars were translating the lost literature of classical Rome and Greece; and the Protestant Reformation was in full motion. In such events, and in others that preceded and followed, were the makings of the modern world.

What was beginning to emerge and

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would be more clearly defined in the years during which discovery and settlement progressed in the Americas, was a European society—varying in detail from country to country, but intrinsically similar—based on a belief in the perfectability of man. Exploration, invention, and discovery, working to reinforce each other, and to refute and confound an older society of static values, opened European minds to the idea of progress along an upward curve of goodness and happiness. It was a new idea in the world, a sharp departure from an earlier notion that man had been perfect in the past, in the Garden of Eden, and had fallen from grace; or from the still earlier belief that man moved through a series of descending phases from a golden age to barbarity, and back again.

In time the new belief would be vulgarized by equating progress with increased material conveniences and comforts, but in its beginnings it grew from a concern for the moral improvement of mankind, a seeking after heaven on earth, or (in the Calvinist interpretation) a seeking to be among the elected few who would find heaven hereafter. And it was more than an emotional out-reaching, for it had behind it the solid thinking of men like Francis Bacon, Descartes, Newton, and Locke: men who demonstrated the uses of reason in examining and explaining the physical world. "It was reason that would lead man to understand nature and by understanding nature to mold his conduct in accordance with nature."<sup>1</sup>

#### MEN WITH A MISSION

Thus, the men who came out of Europe into what they pleased to call the New World were men with a mission.

<sup>1</sup> Crane Brinton, *The Shaping of the Modern Mind* (New York: New American Library, 1953), p. 121.

The mission might be secondary to their immediate needs of security, but it was never wholly absent and at times it was of dominating interest in the actions of individual settlers. The nature of the mission was variously phrased, but essentially it amounted to an unremitting effort to make Europeans out of the New World inhabitants, in social practices and in value concepts.

One of the first orders of the Spanish monarchs, Isabella and Ferdinand, to Ovando, first governor of The Indies (1501), was to require the Indians to be brought together in towns. "Each Indian was to be given a house of his own for his family and a farm for cultivation and cattle raising. . . . The Indians were to be persuaded to go about dressed, like 'reasonable' men. . . . The Indians were to be persuaded to abandon their ancient evil ways, 'and they are not to bathe as frequently as hitherto, as we are informed that it does them much harm.'"<sup>2</sup>

The mission theme is clearly stated by the Englishman, Robert Gray, in his *A Good Speed to Virginia* (1609): ". . . It is not the nature of men, but the education of men, which makes them barbarous and uncivill, and therefore chaunge the education of men, and you shall see that their nature will be greatly rectified and corrected; seeing therefore men by nature so easily yielde to discipline and government upon any reasonable shewe of bettering their fortunes, it is everie man's dutie to travell both by sea and land, and to venture either with his person or with his purse, to bring the barbarous and savage people to a civill and Christian kinde of government, under which they may learne how to live holly, justly, and soberly in this world, and to apprehend the

<sup>2</sup> Lesley B. Simpson, *The Encomienda in New Spain, Forced Native Labor in the Spanish Colonies, 1492-1550* (Berkeley: University of California Press, 1929), pp. 28-29.

meanes to save their soules in the world to come. . . ."<sup>3</sup>

the cultural baggage of the incoming white man.

#### IMPACT ON THE INDIANS

Wherever Europeans settled in the Indian world changes occurred, in living habits, in the use of tools and weapons, and in some nonmaterial practices. In the northern regions hunting tribes were induced to change from a subsistence to a commercial type of hunting, even though, with the greater killing power of the weapons they obtained from European traders, they threatened their own basis of livelihood. When beaver disappeared from northern New York and the Iroquois nations faced a total loss of a rich trade and the political power to which they were accustomed before the arrival of the Europeans, they turned to violence as a means of compelling the tribes farther west to bring their furs into Iroquois country rather than to Canada. "The great role of the Iroquois was that of middlemen between the 'far Indians' and the English, a role which enabled them not only to obtain material benefits, but to retain that position of superiority over the Indians of the eastern half of the United States which they . . . could no longer hope to hold by mere force alone, since their fighting men had so diminished in numbers and their enemies had obtained weapons as good as their own."<sup>4</sup> Thus the long effort of the Iroquois people to build a League of Peace was destroyed in competition for the material goods which were part of

#### EUROPEANS' MISUNDERSTANDING OF INDIAN WAYS

The efforts by Europeans to modify Indian practices with respect to land use and tenure profoundly influenced the relationship between the two races. Attitudes toward Indian rights of occupancy often reflected either total lack of knowledge or erroneous understanding of Indian custom. A common assumption was that the Indians were too primitive to have developed a property system. Thus, the Reverend Richard Hakluyt described them as "more brutish than the beasts they hunt, more wild and unmanly than that unmanned wild country, which they range rather than inhabit."<sup>5</sup>

Even more common was the notion that the Indians were hunters to the exclusion of all other occupations, a notion that gave comfort to those settlers who regarded agriculture as a higher use of land and so justified themselves when they encroached upon Indian lands. Some of the first settlements were located in areas of such low fertility that as a practical matter they might have been reserved for hunting only; yet wherever soil, moisture, and growing season permitted, the Indian inhabitants planted fields of corn, beans, squash, and tobacco. The passengers who went ashore from the *Mayflower* to settle on the Massachusetts coast found the Indians fertilizing the ground with the fish (alewives) that ran so plentifully in the early spring: "You may see in one township a hundred acres together set with these fish, every acre taking a thousand of them; and an acre thus dressed will produce and yield so much corn as three acres without

<sup>3</sup> Quoted in: Roy Harvey Pearce, *The Savages of America* (Baltimore: Johns Hopkins Press, 1953), p. 10.

<sup>4</sup> Peter Wraaxall, *Wraaxall Abridgment of the New York Indian Records, 1768-1751* edited by Charles H. McIlwain. Harvard Historical Studies, No. 21 (Cambridge: Harvard University Press, 1915), p. xlii. See also George T. Hunt, *Wars of the Iroquois* (Madison: University of Wisconsin Press, 1940).

<sup>5</sup> Quoted in Pearce, *op. cit.* (note 3 *supra*), p. 7.

fish."<sup>6</sup> The place they chose for settlement was "a high ground, where there is a great deal of land cleared, and hath been planted with corn three or four years ago . . . and on the further side of the river also much corn ground [has been] cleared."<sup>7</sup>

Agriculture, like hunting, was for subsistence, hence operations were planned to meet the needs of consumption and to provide reserves against a lean year; but they were not on a scale to provide surpluses for commercial exchange or foreign export.

When European settlers encountered the Indians and dealt with them as if they were members of European political communities, they did so, in part, under the moral persuasion of their times. This moral concept was variously phrased, and in Spain it took the form of advice which Francisco de Vitoria prepared for the Emperor Charles V: That the Indians, though "unbelievers," were the true owners of their land; were entitled to their own customs and government; and might not be enslaved or despoiled of their property unless they should be so inconsiderate as to war against the Span-  
ish.<sup>8</sup>

#### THE BIBLE AS GUIDE

In the English-speaking countries, no individual spoke out so clearly and so specifically on the rights of the Indians, yet sentiments like those expressed by Vitoria were current by the beginning of the seventeenth century. An English phrasing of the moral principle might be taken from the first letter of

instructions from the Massachusetts Bay Company to Captain John Endecott (1629), in charge of the colonizing group sent out by the company: "Above all, we pray you to be careful that there be none in our precincts permitted to do any injury, in the least kind, to the heathen people; and if any offend in that way, let them receive due correction . . . if any of the savages pretend right of inheritance to all or any part of the lands granted in our patent, we pray you endeavor to purchase their title, that we may avoid the least scruple of intrusion."<sup>9</sup> On occasion, the Bible itself was cited as authority for policy in dealing with the Indians, as in the case of a Virginia statute (1633) quoting Genesis, Chapter I, verse 28 ("And God blessed them, and God said unto them, Be fruitful, and multiply, and replenish the earth, and subdue it"), also Psalm CXV, verse 16 ("The heaven, even the heavens, are the Lord's: but the earth hath he given to the children of men"). This Virginia statute then provided that "what lands any of the Indians in this jurisdiction have possessed and improved, by subduing the same, they have just right unto"; while grants made to Englishmen, according to the act, were also based on the authority of Genesis, and on "invitation of the Indians." The last phrase would suggest that the Bible alone was not deemed a sufficient warrant for Englishmen to assume possession of Indian lands, unless there was Indian consent.<sup>10</sup>

Practices varied in the English colonies, but generally the first settlers negotiated with the Indians and, though there may not have been a meeting of

<sup>6</sup> "Letter of Edward Winslow," *Chronicles of the Pilgrim Fathers of the Colony of Plymouth From 1602 to 1625* edited by Alexander Young (Boston: Little, 1841), footnote, p. 231.

<sup>7</sup> "Bradford's and Winslow's Journal," *ibid.*, pp. 167-68.

<sup>8</sup> Simpson, *op. cit.* (note 2 *supra*), pp. 148-50.

<sup>9</sup> Alexander Young (Ed.), *Chronicles of the First Planters of the Colony of Massachusetts Bay, 1623-1636* (Boston: Little, 1846), p. 159.

<sup>10</sup> Charles C. Royce, "Indian Land Cessions in the United States," *Eighteenth Annual Report of the Bureau of American Ethnology*, Part 2 (Washington: U. S. Government Printing Office, 1899), p. 602.

minds, a friendly exchange took place. The Europeans thought they were "purchasing" a title, the Indians as certainly thought they were performing their duty toward a stranger by sharing hospitality with him.

There were other considerations involved in these transactions. European law-ways required a man to have a piece of paper to show ownership; it was as important that this piece of paper change hands as it was that the real property pass from one to another. Even in the case of venturing companies to which grants of territory had been made by ruling heads of government (as in the case of Lord Baltimore and William Penn), the Europeans took the precaution of paying the Indians for the land, thus acquiring documentary title which other Europeans would recognize.

The consideration which probably overshadowed all of these, in determining the behavior of the first Europeans toward the Indians, was the very practical one of winning and keeping the good will of the tribes. It was a consideration which dominated much of the policy of individual colonies, and it continued to have critical importance in the policy of the United States until at least through the War of 1812.

#### BEGINNINGS OF A POLICY

The evolution of a policy which would meet at once the various needs and demands of the Indians as well as the requirements of the several colonies, was never completed by the British government, although the elements of such a policy had been under discussion for more than twenty years prior to the American Revolution. From the early days of settlement until the middle of the eighteenth century, each colony was allowed to deal directly with the Indians within its borders. Most of the colonies indeed had adopted measures,

designed to regulate trade and land purchases. But practices between the colonies varied so greatly and the administration of their own rules was often so inadequate that Indians complained of their treatment and either threatened or actually resorted to armed resistance. In addition to these proper grievances, the French in Canada and in the West lost no opportunity to aggravate the fears of the Indians by insisting that the English would not be satisfied until they had completely removed the Indians. The French had not been colonizers, but had been satisfied to trade and to build fortified posts to thwart competition. Hence, they could assure the Indians that they were not competing with them for the land.

#### MEETINGS AND DECISIONS

One of the first efforts of the British to effect a consolidated policy for the American colonies was the calling of the Albany Congress in June 1754. The conference was attended by the governors of New York, Virginia, Maryland, Pennsylvania, New Jersey, New Hampshire and Massachusetts, under instructions of the British Board of Trade. Specifically, the colonies were directed to complete an agreement for a joint management of Indian affairs. Instead of working out such a plan, the representatives of the several colonies drafted a plan of union providing for a representative council or legislature, and an executive to be appointed by the Crown. The plan was rejected by the several colonial assemblies and rejected even more firmly by the home government, which then proceeded to appoint two officials, one for the northern tribes and one for the southern, and placed in their hands authority to exercise political control in Indian matters, leaving the control of trade in the separate colonies. The defeat of General Braddock (July 1755), recently appointed



Commander in Chief of colonial troops, spurred the British to further efforts to bring order and responsibility in Indian affairs. Even more disturbing to the British ministers was Pontiac's success in achieving an alliance of the tribes in the Great Lakes-Ohio River Valley and the capture of the line of forts leading into the Northwest.

The growing crisis resulted in the issuance of the Royal Proclamation of October 7, 1763. The proclamation dealt with a number of questions, but of chief interest are its declarations on the relations of Europeans and Indians in the New World. These may be summarized as: (1) The Indians have a right to be protected in the peaceful possession of their lands, (2) Definite boundaries should be established and recognized, beyond which no settlement should occur except by mutual consent of the Indians and the King's representatives, and (3) Persons settled upon Indian lands the title to which had not been ceded by the Indians were ordered to be removed.

Even before the issuance of the proclamation negotiations with the Indians south of the Ohio River had established a boundary line between Indian holdings and the colonial settlements; negotiations were now entered into with the northern tribes, and by October 1768 a line had been agreed upon running from the eastern end of Lake Ontario all the way to the Gulf of Mexico in northwest Florida. This boundary, by agreement with all the tribes affected (some twenty-five or thirty in number) and representatives of the several colonies, was offered as a barrier against any further settlement westward except as the tribes might consent.

#### FAILURE OF PLAN

What the British did not succeed in achieving was the means of enforcing these agreements. Having failed to es-

tablish centralized control over Indian affairs and having no funds to pay the costs of such a centralized agency, the government had to fall back upon the several colonies to provide police power. By December 1773 it was reported that not less than sixty thousand people had settled between Pittsburgh and the mouth of the Ohio River, and the Iroquois complained bitterly that "the provinces have done nothing and the trade has been thrown into utter confusion by the traders being left to their own will and pleasure and pursuit of gain, following our people to their hunting grounds with goods and liquor."<sup>11</sup>

#### TRANSFER OF RESPONSIBILITIES

United States policy in its beginnings had the same problems to meet as those which the British had faced and failed to solve. Generally, these were problems of understanding, or the lack of it; they stemmed from the inflexible habit of expecting Indians to act like Europeans.

The moral law, or natural law, which Europeans cited as the basis of Indian rights in the land, was itself the creation of European minds. The formal procedure of negotiated purchase had a legal meaning for Europeans which had no counterpart in Indian society. Land was not merchantable, in the European sense, among any of the North American tribes. Individual right of occupancy and use was recognized and protected, and under given conditions trespass could be punished; boundary lines

<sup>11</sup> "The Genesis of the Proclamation of 1763," *Historical Collections, Michigan Pioneer and Historical Society*, Vol. XXXVI (Lansing: Wyncoop Hallenbeck Crawford Company, 1908), pp. 20-52; George Lewis Beer, *British Colonial Policy, 1754-1765* (New York: The Macmillan Company, 1907); Walter H. Mohr, *Federal Indian Relations, 1774-1788* (Philadelphia: University of Pennsylvania Press, 1933); and Helen Louise Shaw, "British Administration of the Southern Indians, 1756-1783," a dissertation presented to the faculty of Bryn Mawr College, 1931.

were respected, as between tribes, and between clans or other groupings within a tribe.<sup>12</sup> Such concepts were the cultural results of experiences which differed from the experiences of European men, concepts that were designed to serve a different kind of social purpose. They explain why it was that, in effort after effort, the early Indians tried to drive the settlers off land which previously they had "sold"; why tribes sometimes turned upon certain of their own headmen and destroyed them for giving away what belonged to the whole group; and they explain what lay behind the appeal of the Ohio River tribes, writing to the government at Washington in the winter of 1786: "Brothers: We are still of the opinion . . . that all treaties carried on with the United States, on our parts, should be with the general voice of the whole Confederacy (of tribes). . . . Any cession of our lands should be made in the most public manner, and by the united voice of the Confederacy. . . . Brothers: Let us pursue reasonable steps; let us meet halfway . . . we beg that you will prevent your surveyors and other people from coming upon our side of the Ohio River."<sup>13</sup>

#### THE INDIAN POSITION

If the Indians were to maintain their cultural integrity, and that was what they were demanding (the British had promised to protect this right on the eve of the Revolutionary War, and as a result of that promise Joseph Brant led his Mohawk people to the side of the British), it was essential that a boundary line be maintained. The At-

lantic coast had been such a boundary, at the beginning of the seventeenth century, between Europe and the Indian world. That barrier had been breached in a series of transactions which held certain meanings and served certain purposes for the European settlers; the same transactions carried quite different meanings for the Indian people and, for them, served no useful purposes. The result, after seven generations, was that the Indians found themselves in a position where they had to insist on fending off the incoming white man. Their continued existence, they thought, depended on it.

#### THE NEW MASTER

At the outset, the United States government tried with some firmness to adhere to the policy promulgated by the British government: a policy of recognizing Indian boundaries and providing legal machinery for the peaceful liquidation of those boundaries. Henry Knox, first Secretary of War under the Constitution and the first federal official in charge of Indian affairs, stated the position on June 15, 1789: "By having recourse to the several Indian treaties, made by the authority of Congress, since the conclusion of the war with Great Britain, it would appear that Congress were of the opinion, that the treaty of peace of 1783 absolutely invested them with the fee of all the Indian lands within the limits of the United States; that they had the right to assign, or retain such portions as they should judge proper.

"But it is manifest, from the representations of the confederated Indians at the Huron Village, in December 1786, that they entertained a different opinion, and that they were the only rightful proprietors of the soil; and it appears by the Resolve of the second of July 1788, that Congress so far conformed to the idea, as to appropriate a

<sup>12</sup> Indian practices regarding land use and ownership are presented in numerous ethnological studies, particularly those of John M. Cooper, Loren C. Eiseley, Eleanor Leacock, Julius Lips, and Frank G. Speck.

<sup>13</sup> *American State Papers*, Class II, Indian Affairs, Vol. I (Washington: Gayles and Seaton, 1831), pp. 8-9.

sum of money solely to the purpose of extinguishing the Indian claims to lands they had ceded to the United States, and for obtaining regular conveyances of same. . . .

"The principle of the Indian rights to the lands they possess being thus conceded, the dignity and interest of the nation will be advanced by making it the basis of the future administration of justice towards the Indian tribes."<sup>14</sup>

#### A CHANGING WORLD

In the colonial period, it had been taken for granted that Indians would accept European ways and incorporate them into their own lives. They needed only the opportunity; and missionaries, educators, and statesmen labored mightily to make this opportunity clear and visible to the Indian people. Many strong souls, rapt in their vision of the beatitude of European institutions, accepted martyrdom at the hands of what seemed callous and unworthy savages (actually, men who valued life in their own way, who pursued quite different objectives) to bring Europe into the New World. As the colonial period closed, the mood changed. Possibly there were still as many men who believed Indians could be educated—that is, civilized—but their numbers were swallowed up in the waves of population that rolled westward after independence had been won. Moving westward, meant progress, growth, greatness.

A recent writer summarizes the changing situation: "The American solution [to the problem of the savage] was worked out as an element in an idea of progress, American progress. Cultures are good . . . as they allow for full realization of man's essential and absolute moral nature; and man realizes this nature as he progresses historically from a lesser to a greater good, from the sim-

ple to the complex, from savagism to civilization. . . . The Indian was the remnant of a savage past away from which civilized men had struggled to grow. To study him was to study the past. To civilize him was to triumph over the past. To kill him was to kill the past."<sup>15</sup>

Evidence for the manner in which these ideas came into American thinking will be found, for example, in the oration of John Quincy Adams before the Sons of the Pilgrims, December 12, 1802: "There are moralists who have questioned the right of the Europeans to intrude upon the possessions of the aborigines in any case and under any limitations whatsoever. But have they maturely considered the whole subject? The Indian right of possession itself stands, with regard to the greatest part of the country, upon a questionable foundation. Their cultivated fields, their constructed habitations, a space of ample sufficiency for their subsistence, and whatever they had annexed to themselves by personal labor, was undoubtedly by the law of nature theirs. But what is the right of a huntsman to the forest of a thousand miles over which he has accidentally ranged in quest of prey? Shall the liberal bounties of Providence to the race of man be monopolized by one of ten thousand for whom they were created? . . . Shall the lordly savage not only disdain the virtues and enjoyments of civilization himself, but shall he control the civilization of a world? . . . No, generous philanthropist!"<sup>16</sup>

#### METHODS AND DEVICES

In the forty-odd years between the enactment of the Northwest Ordinance of 1787 and Andrew Jackson's Second Annual Message, delivered December

<sup>14</sup> *Ibid.*, pp. 12-14.

<sup>15</sup> Pearce, *op. cit.* (note 3 *supra*), pp. 48-49.

<sup>16</sup> Royce, *op. cit.* (note 10 *supra*), p. 536.

6th, 1830, the United States moved away from the potential which was inherent in colonial attitudes, of allowing the Indian people a chance to maintain their integrity as a people. Boundaries could be in the minds of a people; they might not hold the Appalachian watershed, but they could still hold to a system of values they understood. They did not ask to remain static, but to grow into new conditions, as they became ready, while retaining their dignity in their own eyes. From the latter date onward, it became a question of how soon, and by what devices, the extinguishment of the Indian past would be effected.

In its Indian provisions, the Northwest Ordinance read: "Article III. . . . The utmost good faith shall always be observed towards the Indians; their land and property shall never be taken from them without their consent; and in their property, rights, and liberty, they never shall be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made, for preventing wrongs being done to them and for preserving peace and friendship with them."

Here, once again, was the promise of fair dealing which Europeans since Francisco de Vitoria had urged as policy, which the British actually adopted but could not enforce; and now the United States had accepted it, and in its turn would discover that it had not the means of carrying it into force. The reasons it could not carry it into force are the real subject matter of President Jackson's Second Annual Message, though he appears to talk about other considerations. He said: "Humanity has often wept over the fate of the aborigines of this country, and Philanthropy has been long busily employed in devising means to avert it, but its progress has never for a moment been arrested, and one by

one have many powerful tribes disappeared from the earth. . . . But true Philanthropy could not wish to see this continent restored to the condition in which it was found by our forefathers. What good man would prefer a country covered with forests and ranged by a few thousand savages to our extensive Republic, studded with cities, towns, and prosperous farms, embellished with all the improvements which art can devise or industry execute, occupied by more than twelve million happy people, and filled with all the blessings of liberty, civilization, and religion?"<sup>17</sup>

Some months previously (May 28, 1830), President Jackson had signed the Indian Removal Act, which placed in the hands of the President authority to remove all Indians west of the Mississippi River. The proposal had been under discussion and indeed had been hotly debated for several years. Passage of the measure was precipitated finally by actions taken by the state of Georgia.

The state had insisted since its establishment that the United States purchase the lands occupied by Indian tribes (Creeks and Cherokees) within her borders. Some purchases had been made, but the time came when these Indians refused to sell any more of their land, on the grounds that they needed it for their own existence. Georgia retaliated against the Cherokees by enacting legislation which extended her laws over the Cherokee nation. The Cherokees challenged the right of Georgia to assume such jurisdiction, and in two famous cases (*Cherokee Nation vs. Georgia* and *Worcester vs. Georgia*) tested the ability and the willingness of the United States to protect an Indian tribe in its efforts at self-determination.

<sup>17</sup> James D. Richardson (Ed.), *A Compilation of the Messages and Papers of the Presidents, 1789-1897*, Vol. 2 (Washington: U. S. Government Printing Office), pp. 520-21.

The Cherokees lost, not because their cause was wrong, but because of a defect in the American system of government. The Supreme Court, with Chief Justice Marshall writing the opinion, held that the State of Georgia had no authority to extend its law over the Cherokees and therefore its action was a nullity. Georgia chose not to recognize the opinion, and the President of the United States refused to be disturbed by Georgia's position.<sup>18</sup>

The Removal Act of 1830 was a discretionary act, authorizing the president (not directing him) to negotiate treaties with the eastern Indians, the treaties to provide the following: lands would be offered west of the Mississippi; payment would be made for lands and improvements relinquished in the east; title to the new lands would be guaranteed in perpetuity, or so long as the tribe should exist; the right of self-government would be respected. The removal was to be based on agreement, but when the Cherokees and the Seminoles attempted to exercise the choice of remaining, they were answered with the United States Army; forced removal followed.

After 1830, Indian tribes continued to be moved, some of them three or four times, like inanimate pieces on the checkerboard of the nation's destiny. A writer has observed: "For a time the scheme of moving the Indians to lands west of the Mississippi seemed to offer a practical solution to their problem. Jedidiah Morse believed that the Indians possessed the capacity for making progress in the arts of civilized life if only they were given government aid and an education. . . . However, in most of the arguments for the removal

of the Indian tribes . . . the emphasis was placed on the advantages to the white man which would result from the displacement of the noble savage, and the idea of progress was invoked . . . to give a rationalization of inevitable justice to the forced migration."<sup>19</sup>

The decision by Congress in 1871, in the form of a rider to an appropriation act, that "Hereafter no Indian nation or tribe within the territory of the United States shall be acknowledged or recognized as an independent tribe or power with whom the United States may contract by trading," followed logically on the events that have been reviewed here. It was the recognition of a reality, that Indian friendship and support were no longer needed by the nation.

#### THE UNKINDEST CUT

It is fitting to close this brief review with mention of the General Allotment Act, also called the Dawes Act, of February 8, 1887. Here, again, was permissive legislation authorizing the President of the United States, in his discretion, to divide an Indian reservation into individual holdings, assign a parcel of land to each man, woman and child, and declare all remaining land surplus to the needs of the Indians. The "surplus" lands were then opened for homesteading and paid for at \$2.50 per acre, as and when the lands were taken up by homesteaders. By this and other devices contained in the Act, the Indians were relieved of some ninety million acres, or almost two-thirds of their land base, between the years 1887 and 1930. Without cost to itself, the federal government thus transferred large acreages from Indian to white ownership, even requiring the tribes to pay the costs of surveying and allotting. In every case

<sup>18</sup> The events in Georgia are carefully detailed in U. B. Phillips, "Georgia and State Rights," *Annual Report of the American Historical Association*, 1901, Vol. 2 (Washington: U. S. Government Printing Office).

<sup>19</sup> Arthur A. Ekirch, *The Idea of Progress in America, 1815-1860* (New York: Columbia University Press, 1944), p. 41.

where allotment was carried out, the Indian tribe objected; and in most cases the lands were covered by treaties in which the United States obligated itself to protect the tribe in its right of possession.

In the speeches in support of the bill while it was pending in Congress, are echoes of that sense of urgent mission which Europeans carried with them into the new world; which moved Queen Isabella and King Ferdinand to insist that the Indians be persuaded to dress up and to bathe less frequently, and led Robert Gray in 1609 to believe that the right education was all that was needed to make a European out of an Indian.

Now, in the 1880's, arguing for the legislation which would become the General Allotment Act, Senator Pendleton of Ohio declared: "They must either change their mode of life or they must die. We may regret it, we may wish it were otherwise, our sentiments of humanity may be shocked by the alterna-

tive, but we cannot shut our eyes to the fact that that is the alternative, and that these Indians must either change their modes of life or they will be exterminated. . . . In order that they may change their modes of life, we must change our policy. . . . We must stimulate within them to the very largest degree, the idea of home, of family, and of property. These are the very anchorages of civilization; the commencement of the dawning of these ideas in the mind is the commencement of the civilization of any race, and these Indians are no exception."<sup>20</sup>

In the heat of such a discussion, it would not have occurred to any of the debaters to inquire of the Indians what ideas they had of home, of family, and of property. It would have been assumed, in any case, that the ideas, whatever they were, were without merit since they were Indian.

<sup>20</sup> *Congressional Record*, Vol. 11 (Forty-sixth Congress, Third Session, 1881).

# The Legal Aspects of Indian Affairs from 1887 to 1957

By THEODORE H. HAAS

Abstract: As the westward movement of the population proceeded, the demand for the Indians' land increased. Cultural assimilation became the slogan. "Americanized" Indians would be transformed from hunters and fishermen to farmers and cattlemen, communal ownership would yield to individual ownership, plenty of the tribal lands would be freed for white settlement. The culmination of this policy was the General Allotment Act of 1887. Another step toward integration was the Citizenship Act of 1924. The character and the effects of these policies are detailed by the author.—Ed.

**H**UNGER for Indian land and other resources has been the most important cause of many early conflicts between Indians and whites and federal and state governments.<sup>1</sup> Congress enacted the Indian Removal Act of 1830<sup>2</sup> under pressure from the states and with the active support of Andrew Jackson, the first President elected by popular vote and the first from the West. The removal policy was justified on the grounds that segregation would end the conflict between the races and that land would be provided for white settlement in the East. In exchange the Indians would be provided with land in the western territory where they would not be disturbed.

The land hunger was appeased but not satiated. As the settlement and development of the West gathered mo-

mentum in the 1880's, the remaining Indian lands were demanded. They consisted in 1887 of some 139,000,000 acres of land west of the Mississippi River, where virtually all Indian tribes under the Government's protection lived on some diminished areas called "reservations."<sup>3</sup>

As with the removal policy, ethical justification was soon found for the enactment of laws which would reduce the Indian land holdings and also achieve the new objective of the rapid assimilation of the Indian. A popular theme, the white man's burden to uplift native people, was given a theoretical base by interpretations of Darwin's view of the evolution of man and Spencer's of the evolution of society. Soon additional arguments would come from the advocacy of the submersion of the varied cultures of immigrants into an American way of life. To attain this conformity, it was, of course, necessary to destroy Indian cultures, which rested not only on different religions and lan-

<sup>1</sup> "From the first discovery of America to the present time, one master passion common to all mankind, that of acquiring land, has driven, in ceaseless succession, the white man on the Indian." Statement by James Barbour, Secretary of War in 1826, to Chairman, House Committee on Indian Affairs (Nineteenth Congress, First Session (1825)), H. Doc. 102, p. 5.

<sup>2</sup> Act of May 28, 1830, 4 Stat. 411.

<sup>3</sup> Indian lands reached a peak of 150,000,000 acres in 1873. Oliver La Farge, *As Long as the Grass Shall Grow* (New York: Alliance Book Company, 1940), p. 30.

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guages, but also on tribal organizations with their indigenous systems of communal ownership of land. All that was necessary to assimilate and make self-supporting quickly the slightly more than a quarter of a million Indians was to transform them from hunters and fishermen into farmers and cattlemen. By dividing the tribal estate among the members, they could gain the benefits of private or individual property.<sup>4</sup> Since the new way of life would not require the use of as much land as the savage economy did, unneeded or surplus land would be available for white purchase and occupancy.

### THE DAWES ACT

The policy found its expression in the General Allotment Act of 1887,<sup>5</sup> sometimes called the Dawes Act, which became the keystone of federal Indian policy until the 1920's.<sup>6</sup> Its momentum was largely lost by 1922 as a result of two unsuccessful attempts to expedite the fragmentation and alienation of Indian lands.<sup>7</sup> The first was a campaign launched in 1917 to force the fee patenting of allotments, a method which was declared illegal by the courts. The second was an attempt of the Secretary of the Interior to secure the enactment of the Bursum Pueblo Bill which would transfer the Pueblo land titles to white squatters, and of the Indian Omnibus

<sup>4</sup> Thus the Indian like the successful homesteader would attain economic independence and the ideal of a family farm.

<sup>5</sup> Act of February 8, 1887, 24 Stat. 388. For the Act's background see Felix S. Cohen, *Handbook of Federal Indian Law* (Washington: U. S. Government Printing Office, 1945), pp. 206 ff.

<sup>6</sup> Laurence F. Schmeckebier, *The Office of Indian Affairs: Its History, Activities and Organization* (Baltimore: Johns Hopkins Press, 1927), pp. 78-90. Some tribes were excepted from the Dawes Act, but most of them were covered by similar special laws.

<sup>7</sup> Joseph B. Gittler (Ed.), *Understanding Minority Groups* (New York: John Wiley & Sons, 1956), pp. 42-43.

Bill of 1923, which would provide for the loss of all Indian property with a special status.

The Dawes Act authorized the individualization of the reservation lands to the tribal members whenever the President believed that the land might be utilized advantageously for agricultural and grazing purposes. The head of a family was to be allotted 80 acres of agricultural land or 160 acres of grazing land; and a single person over eighteen or an orphan child under eighteen, one-half of this amount. The United States retained title to the land until the expiration of a trust period of twenty-five years, or longer, if the President deemed an extension desirable. Then, the allottee was to secure a patent in fee; to be able to dispose of the land as he wished; and to be subject to the laws of the state or territory where he resided. The proceeds of the sale of surplus or land not needed for allotment were to be covered into the United States Treasury for the sole use of the tribe which had owned the land, and, together with interest at 3 per cent per annum, were to be subject to appropriation by Congress for the education and civilization of the membership.

Citizenship was granted to any Indian who had voluntarily taken up residence within the territorial limits of the United States apart from his tribe and adopted the habits of civilized life and to an allottee as soon as he received a paper, improperly called a patent, showing that at a future time he would secure a regular patent conveying the fee or full title.<sup>8</sup> Among the various amendments which were subsequently made to the Dawes Act were the following: citizenship was deferred until the expiration of the trust period; provisions were made for the lease, sale, and condemnation of allot-

<sup>8</sup> See *United States v. Rickert*, 188 U. S. 432 (1903); *Monson v. Simonson*, 231 U. S. 341, 345 (1913).



ments under administrative supervision; for the issuance by the Secretary of the Interior of a certificate of competency to an Indian which would permit him to dispose of trust or restricted property; and for the protection of allotted lands from any charge or encumbrance because of any debt of the allottee. Supplementary legislation provided for the apportionment of tribal funds among the members.

#### TAXATION

The General Allotment Act also had a marked effect on taxation. The original tribal land was exempt from state property taxation, and allotted land became subject to such tax when the patent in fee was granted. As in all other important questions of Indian law, much litigation has been necessary to interpret treaty and statutory provisions related to taxes. In 1956 a decision of the Supreme Court held that income derived from the sale by the federal government of standing timber on allotted lands was exempt from the federal capital-gains tax.<sup>9</sup> Chief Justice Warren stated that the purpose of the allotment was to protect the Indians' interest and to prepare the Indians to take their place as independent, qualified members of the modern body politic, and to this end it is necessary to preserve the trust land and income derived directly therefrom. The Chief Justice concluded that it would be unreasonable to infer that Congress intended by enacting the income tax law to destroy the tax exemption afforded by the General Allotment Act, since such action would be a sorry breach of faith with the Indians. The importance of this decision is demonstrated by the fact that there are more than 100,000 tracts of individually owned Indian land totaling about 13,000,000 acres held in trust by the government,

most of which were allotted under the 1887 statute.

The widespread belief that Indians pay no taxes is one of the many myths concerning Indians.<sup>10</sup> The area of Indian tax exemption has been confined by legislation and litigation to a narrow range. With a few exceptions Indians are now subject to the same taxes as non-Indians. The most important exception is the exemption from real property taxes of Indian land, which is protected by an express exemption in a federal treaty or statute, or by the taking of legal title to the land in the United States, as in the case of allotted land.<sup>11</sup>

The members of certain tribes, including the Five Civilized Tribes, which were excluded from the General Allotment Act, were granted title to much of their lands in fee simple, subject to a restriction on alienation without the consent of the Secretary of the Interior. The purpose of keeping the land in a restricted status was the same as the retention in trust of lands divided under the General Allotment Act—the protection of the Indian from the loss or unwise use of his property. The sale or lease of these lands was also restricted. The Indians and the government officials concerned thought that these purchased tracts had the same status as Indian lands in which title remained in the federal government, and that tax exemption always accompanied restricted property, but the Supreme Court held the land and its income taxable because of the absence of an express tax exemption.<sup>12</sup>

One of the two references to Indians

<sup>10</sup> The status of being an Indian does not create an immunity from the levy of the federal income tax. *Choteau v. Burnet*, 283 U. S. 691 (1931).

<sup>11</sup> Land subsequently purchased by the tribe which is not taken by the United States in trust is taxable.

<sup>12</sup> *Oklahoma Tax Commission v. United States*, 319 U. S. 598 (1943).

<sup>9</sup> *Squire v. Capoeman*, 351 U. S. 1 (1956).

in the Constitution has become obsolete. Article 1, section 2, requires the exclusion of "Indians not taxed" from the decennial population count used in apportioning the number of representatives for a state. Beginning in 1940, the Census Bureau no longer follows its prior hoary custom, at least sixty years old, of computing by guesswork or divination the "Indians not taxed."

### *Allotment process*

Reservations were allotted in Oklahoma, the Lake states, the Plains states, the Pacific Coast states, in fact in varying degrees almost all Indian reservations were allotted, except those in Alaska and most of those in the Southwest. Yet, despite its protective features the General Allotment Act did not fulfill the expectations of sponsors who considered the welfare of Indians. Indian men of many tribes, such as the Sioux, considered farming to be woman's work. The original acreage was usually insufficient for an economic unit, and fractionalization, due to division after the death of the allottee, usually to heirs intestate, added to the difficulty. As Senator Henry M. Teller of Colorado, a former Secretary of the Interior (1882-85), its leading opponent, predicted, most allottees soon lost their lands at bargain prices. By 1933, 91,000,000 acres or two-thirds of the Indian land base of 1887, and generally the most productive, was lost and some 90,000 Indians were landless.<sup>13</sup> In the words of the task force investigating Indians for the first "Hoover" Commission,<sup>14</sup> "If the ninety million acres lost

through the [allotment] process had remained in Indian ownership, the problem of poverty among most tribes could be solved with less difficulty and with more certainty today; and assimilation would take place at a satisfactory level with a minimum of public expense." The report also refers to

. . . the mistaken belief that the destruction of tribal organization and culture would bring about or at least hasten the acquisition of white "civilization." . . . People move from one base to another, and move slowly. The loss of an existing base before the new base has been consolidated means simply frustration and degeneration. The destruction of Indian tribal government, the liquidation of tribal organization and tribal property, and the hostility to all Indian ways and culture that characterized so much of Government policy now appear to have been a mistake which defeated rather than furthered the Government's ultimate objectives.

### *Effects of General Allotment Act*

The significance of the General Allotment Act extends beyond its impact on Indian land. The law was passed over the strenuous objections of most Indians. Hence, it disregarded the principle of bilateralism or mutual agreement which had been followed in treaty making until 1871, and subsequently in the formulation of statutes. Moreover, prior laws had considered cultural differences among the numerous Indian groups, but the Dawes Act set an important precedent by imposing a uniform legal pattern for Indians generally.<sup>15</sup> Following the new pattern of some provisions of a few prior treaties and statutes, the government henceforth bypassed to a large extent tribal organi-

<sup>13</sup> "Report of the Commissioner of Indian Affairs," *Annual Report of the Secretary of the Interior, 1933* (Washington: U. S. Government Printing Office), p. 68.

<sup>14</sup> "Report of the Committee on Indian Affairs to the Commission on Organization of the Executive Branch of the Government," Charles J. Rhodes, John R. Nichols, Gilbert Darlington, George A. Graham, Chairman, October 1948 (unpublished manuscript), pp. 15-16.

<sup>15</sup> In the 1880's a few other uniform laws of less importance were passed. While some important Indian groups, such as the Five Civilized Tribes, were excluded from the Dawes Act, most of them were soon subjected to somewhat similar laws.

zations and Indian leaders and dealt directly with individual Indians. To fill the vacuum caused by the law's weakening of the tribal governments, the authority of federal administrators over Indians was greatly expanded. This growth is evidenced by the multiplication of laws and regulations relating to Indian affairs. By 1949, Indian statutes exceeded 4,000, and by 1957 climbed toward 6,000 in number. Regulations and manual or letter instructions grew proportionately. Another effect of the law was graphically described by Theodore Roosevelt in his Presidential message to Congress of December 3, 1901. He characterized the law as "a mighty pulverizing engine to break up the tribal mass" whereby "some sixty thousand Indians have already become citizens of the United States."<sup>16</sup>

#### CITIZENSHIP

While prior to the Citizenship Act of 1924,<sup>17</sup> the Dawes Act was the most important method of acquiring citizenship, there are several other general or special statutes and treaties which naturalized Indians. Indian women marrying citizens became citizens by an 1888 law,<sup>18</sup> and a few Indian veterans in World War I were granted citizenship under a 1919 law.<sup>19</sup> Some 125,000 native-born Indians who had not become citizens previously were made citizens in 1924. Although the contrary view was once held, it is now well settled that citizenship does not affect the authority of the government over the Indian.<sup>20</sup>

<sup>16</sup> *Congressional Record*, Vol. 35, Part 1, p. 90 (Fifty-seventh Congress, First Session, 1901).

<sup>17</sup> Act of June 2, 1924, 43 Stat. 253.

<sup>18</sup> Sec. 2, Act of August 9, 1888, 25 Stat. 392.

<sup>19</sup> Act of November 6, 1919, 41 Stat. 350.

<sup>20</sup> *United States v. Nice*, 241 U. S. 591, 598 (1916) which overruled *Matter of Heff*, 197 U. S. 488 (1905).

As a consequence of attaining national citizenship, the Indians automatically become citizens of the state where they reside. Yet, a 1938 survey by the Department of the Interior disclosed that seven states refused to let Indians vote. By 1947, largely through the efforts of the federal government, the attorneys general of several states, and the Indians themselves, all the states with large Indian populations conceded the right of Indians to suffrage on the same basis as non-Indians, except the states of Arizona and New Mexico. In 1948, as a result of judicial decisions, these states withdrew their prohibition on Indian voting.<sup>21</sup> In 1950, the Indians of Maine were denied the franchise, but this problem was corrected by legislation. In the Presidential election of 1956, the Indians of Utah living on reservations were denied the franchise by a ruling of the state Attorney General. The problem as of this writing is pending before the Supreme Court of the United States.

#### REPEAL OF DISCRIMINATORY LAWS

The enactment of the Indian Claims Commission Act of 1946 ended one discrimination against Indian groups, which originated almost a century earlier when the Act permitting the government to be sued on certain claims did not permit suits by Indian tribes.<sup>22</sup> Unfair dealings in lands is the main source of such claims. Generally, judicial decisions have continued to strengthen early

<sup>21</sup> *Harrison v. Laveen*, 67 Ariz. 337, 196 P. 2d 456 (1948); *Trujillo v. Garley*, D. Ct. New Mexico (1948), unreported. The Department of Justice filed briefs as *amicus curiae* in these suits. United States attorneys are required to render certain legal services to Indians by the Act of March 3, 1893, 27 Stat. 612, 631, 25 U.S.C. 175.

<sup>22</sup> For further discussion see "Indian Claims Commission Act" in this issue of *THE ANNALS* by Nancy Oestreich Lurie.

recognition of Indian land title by virtue of aboriginal occupancy.<sup>23</sup>

It is now well established that individual Indians may sue and be sued, make contracts, and enjoy all the civil liberties guaranteed to their fellow citizens. There is one exception to this general principle; namely, for the protection of this dependent people, Congress can and has imposed limitations on their disposal of trust or restricted property. Administrative or Congressional approval is required for the alienation of such property or the expenditure of certain trust funds. Moreover, until fairly recently, many discriminatory federal laws hampered freedom of speech and sanctioned various measures of military and civil control within the reservation boundaries. Most of these laws were repealed by the Act of May 21, 1934.<sup>24</sup> The most important and one of the oldest such laws was the Indian liquor Law, the first prohibition law of our nation. Many terms popular in the prohibition era, such as "bootlegger" and "whisky runner," originated in the illegal trade with Indians. President Thomas Jefferson, acting in response to a verbal plea by the Indian Chief, Little Turtle, recommended this law to Congress in 1802, which forthwith authorized the President to regulate the selling and distribution of spirituous liquors among the Indian tribes.<sup>25</sup> Frequent amendments to this act broadened its scope and made its enforcement easier. The most important of these

measures was the Act of July 23, 1892, as amended in 1938, which prohibited the sale or gift of intoxicants to Indians and their introduction into Indian country.<sup>26</sup> In 1918, the possession of intoxicants in the Indian country was made a separate offense,<sup>27</sup> but a 1948 law allowed the introduction in Indian country of intoxicants for mechanical, scientific, and medicinal purposes.<sup>28</sup>

The Supreme Court several times upheld the validity of the Indian liquor law as a measure to protect Indians under the power of Congress to regulate commerce with Indian tribes.<sup>29</sup> In 1953, however, Indians were placed in the same status as non-Indians with respect to intoxicants when off the reservation, except in states which had an Indian liquor law, and the Indians were granted the right of local option with respect to their reservations.<sup>30</sup>

#### STATE LAWS

Generally, an Indian while off the reservation is subject to state laws to the same extent as non-Indians. The United States, however, has plenary or full, though not absolute, authority over Indian affairs and has passed special laws, such as the Indian liquor law, applicable to Indians while off the reservation. Furthermore, state laws are not enforceable within the territory of an Indian tribe in matters affecting Indians unless and until the federal government

<sup>26</sup> 27 Stat. 260, as amended by Act of June 15, 1938, 52 Stat. 696.

<sup>27</sup> Act of May 25, 1918, 40 Stat. 561, 563.

<sup>28</sup> Act of June 25, 1948, section 1154, 62 Stat. 683, 758.

<sup>29</sup> *United States v. Sandoval*, 231 U. S. 28 (1913), and cases cited therein.

<sup>30</sup> Act of August 15, 1953, 67 Stat. 586. By June 30, 1956, thirty tribes had adopted resolutions for the purpose of legalizing intoxicants on the reservation. "Report of the Commissioner of Indian Affairs," *Annual Report of the Secretary of the Interior, 1956* (Washington: U. S. Government Printing Office), p. 215.

<sup>23</sup> Felix S. Cohen, "Original Indian Title," *Minnesota Law Review*, Vol. 32 (December 1947), p. 28.

<sup>24</sup> 48 Stat. 787. An old law prohibiting the selling of firearms to Indians was repealed by the Act of August 15, 1953, 67 Stat. 590. In almost all respects and places discriminatory practices with respect to the granting of social security benefits have ended. One exception is the crippled children's program in Arizona.

<sup>25</sup> Act of March 3, 1802, section 21, 2 Stat. 139. Cohen, *op. cit.* (note 5 *supra*), p. 352.

consents thereto or unless the state law aids in effectuating federal law and policy.

Since 1887, there has been a steady increase in the areas to which the Congress has granted its consent to the application of state laws to Indians. The first field in which state laws have been applied generally to Indians is inheritance. The General Allotment Act provided that after patents are issued to lands allotted to Indians, the lands shall be inherited by the heirs of a deceased Indian according to the laws of the state or territory where the land is located. State law was applied to such inheritance until 1910 when the Secretary of the Interior was granted full power to determine heirs and partition allotments, to administer the estates of the allottees, and to sell heirship lands. In 1913, the law was amended to permit an Indian to dispose of trust property, real and personal, by will or contract, approved by the Secretary of the Interior. Hence, a will, if approved by the Secretary, need not conform to state law.

By Congressional statutes the states of New York, Kansas, and Iowa have acquired jurisdiction over crimes committed by Indians against Indians on Indian reservations. North Dakota acquired the same power over one reservation. In 1953, a law granted similar jurisdiction to California, Nebraska, Oregon (except the Warm Spring Reservation), Minnesota (except the Red Lake Reservation), and Wisconsin (except the Menominee Reservation) and authorized the various other states to assume criminal and civil jurisdiction over crimes and transactions involving Indians on Indian land whenever such states wished.<sup>81</sup>

The federal jurisdiction over ten major crimes committed by Indians against Indians on Indian reservations, further complicates the administration of criminal law. The punishment of seven ma-

jor crimes was assumed by the federal government two years after the Supreme Court held in *Ex Parte Crow Dog* that in the absence of federal legislation granting jurisdiction to the federal courts, they could not try and punish an Indian for the murder of another Indian on an Indian reservation. The tribal governments alone had this authority.<sup>82</sup> Three other crimes were subsequently added to the original seven crimes.<sup>83</sup>

State laws are very important for Indians in the criminal field. In 1898, the Federal Assimilative Crimes Act made offenses by non-Indians against Indians or their property, or vice versa, punishable by the federal courts in accordance with state laws then in effect. Two of the major crimes, rape and burglary, committed by an Indian against another Indian on an Indian reservation are defined and punished in accordance with state laws. Eight other major crimes are subject to the same laws and penalties as if the offense were committed within the exclusive jurisdiction of the United States.

#### FEDERAL-STATE CO-OPERATION

The federal government has authorized the enforcement of the following state laws on Indian reservations: (1) sanitary and quarantine laws, under rules prescribed by the Secretary of the Interior;<sup>84</sup> and (2) compulsory school laws, with tribal consent.<sup>85</sup> Federal laws have applied also a wide variety of state laws to particular tribes and areas. For example, Oklahoma has been authorized to tax oil and gas production from Indian lands and mineral pro-

<sup>82</sup> 109 U. S. 556 (1883).

<sup>83</sup> Act of March 3, 1885, 23 Stat. 362, 385; amended by Act of March 4, 1909, sec. 328, 35 Stat. 1088, 1151; Act of June 28, 1932, 47 Stat. 336, 337.

<sup>84</sup> Act of February 15, 1929, 45 Stat. 1185.

<sup>85</sup> Act of August 9, 1946, 60 Stat. 962.

<sup>81</sup> Act of August 15, 1953, 67 Stat. 588.

duction from the Five Civilized Tribal lands.<sup>86</sup>

The most important law which provides for federal-state co-operation in Indian affairs is the so-called Johnson-O'Malley Act of April 16, 1934.<sup>87</sup> This law authorizes the Secretary of the Interior to enter into contracts with states, territories and private institutions ". . . for the education, medical attention, agricultural assistance, and social welfare, including relief of distress of Indians in each State or Territory, through the qualified agencies of each State or Territory." With the increase of attendance of Indians at public schools, the federal grants have increased considerably. State contracts for extension and social welfare services are also becoming more important. The Indian Bureau is in the process of transferring its extension work to the states and the Department of Agriculture. The Department of Health, Education and Welfare, to which were transferred, effective July 1, 1955, the federal government's Indian health services including authority previously exercised by the Department of the Interior,<sup>88</sup> has made several contracts with states and universities for medical attention, including health education. A 1952 law, which authorizes the transfer, with tribal consent, of federal hospital patients to state and local Indian hospitals, illustrates the increasing importance of federal and state co-operation in the rendering of Indian health services.<sup>89</sup> Contracts with universities for various research projects have been made by the Departments of Health, Education and Welfare and of Interior.

The most significant research project on Indian affairs was made by a private organization. In 1926, the Department

of the Interior invited the Institute for Government Research to make a survey of the social and economic conditions of the Indians. The report of this study, which was published in 1928,<sup>40</sup> helped to inaugurate a new era in Indian administration. On December 4, 1929, President Herbert Hoover took steps to implement the report by stating in his first message to Congress that the government had an obligation to raise the standard of living of Indians, to provide adequately for their health and education, and to advance their opportunity for profitable employment. There soon followed a substantial increase in appropriations for the Indian Bureau.

#### INDIAN REORGANIZATION ACT

Toward the beginning of the Franklin Roosevelt Administration there was enacted the Indian Reorganization Act,<sup>41</sup> the most comprehensive law relating to Indians since the General Allotment Act. The IRA, as it is sometimes called, laid the foundation for a new Indian policy and has been hailed as a landmark in social science "because it brought to Indian affairs and to the United States Government for the first time, an explicit use of social science principles."<sup>42</sup>

The IRA became operative through the majority vote by members of a tribe at a formal election.<sup>43</sup> It ended the al-

<sup>40</sup> Lewis Meriam and Associates, *Problem of Indian Administration* (Baltimore: Johns Hopkins Press, 1928).

<sup>41</sup> Act of June 18, 1934, 48 Stat. 984, which with minor modifications was extended to Alaska by the Act of May 1, 1936, 49 Stat. 1250, and Oklahoma by the Act of June 26, 1936, 49 Stat. 1967.

<sup>42</sup> Clyde Kluckhohn and Robert Hackenberg, "Social Science Principles and the Indian Reorganization Act," *Indian Affairs and the Indian Reorganization Act: The Twenty Year Record*, edited by William H. Kelly (Tucson: University of Arizona Press, 1954), p. 35.

<sup>43</sup> 181 tribes accepted the act, 77 rejected it, and 14 came under it because of failure to vote. Alaskan and Oklahoma groups were covered into the act without a vote.

<sup>86</sup> See Cohen, *op. cit.* (note 5 *supra*), pp. 118-19.

<sup>87</sup> 48 Stat. 596.

<sup>88</sup> Act of August 5, 1954, 68 Stat. 674.

<sup>89</sup> Act of April 3, 1952, 66 Stat. 935.

lotting of tribal lands and the process of terminating trust periods or periods of restricted alienability, after a fixed period of years. It also placed severe limitations on the operation of allotment in other respects.<sup>44</sup> It recognized the inadequacy of the Indian land base, authorized the appropriation of \$2,000,000 a year for the purchase of lands for tribes, and generally limited the disposition of restricted land to Indian tribes and their members. It also empowered tribes incorporated under the Act to make consolidations of fractionated lands, with the owner's consent, and provided for the purchase and restoration of land to Indians.

During the ensuing ten years Indian land was increased from about fifty-two million acres to more than fifty-six million acres by governmental and tribal land purchases and by the restoration of land to Indians under the Act and by supplementary legislation.

Another important feature of the IRA is that it directed the Secretary of the Interior to promulgate conservation regulations to prevent the erosion, deforestation and overgrazing of Indian lands.

Since 1948, however, there has been a resumption of the prior downward trend, accelerated by the issuance of patents in fee under the Act of May 4, 1948,<sup>45</sup> which authorized the Secretary of the Interior to sell individual Indian lands, and by special enabling acts.

The Act of August 9, 1955 (69 Stat. 539) greatly increased the term for which Indian-owned land may be leased.

The IRA sought to reinvigorate and stabilize the powers and organization of Indian tribes. It gave the official gov-

ernments standing by providing for the approval of constitutions and also of charters, if desired for business purposes. It vested also in tribes which adopted such constitutions the following new powers: approval or veto over the disposition of all tribal assets; the right to spend certain funds; to negotiate with the federal, state, and local governments; to employ legal counsel, only the choice of counsel and the fixing of fees being subject to the approval of the Secretary of the Interior; and to see appropriation estimates for the tribe's benefit prior to their submission to the Budget Bureau and Congress. Some of these powers were subject to various degrees of supervision by the Secretary of the Interior.

The constitutions add to, but do not detract from, the powers of an Indian tribe. The laws, customs, and decisions of tribal government control large areas of civil and criminal law, including questions of tribal membership, property, taxation, the conservation, development and use of tribal resources, social welfare, domestic relations, health, housing, inheritance, and the form of tribal government. The courts have fairly consistently upheld the Indians' right to home rule. One of the most recent decisions in this field sustained the right of the Oglala Sioux Tribe to pass an ordinance taxing a non-Indian lessee of a grazing allotment and a criminal ordinance covering offenses by Indians against Indians and enforced by the tribal court.<sup>46</sup>

### *Program*

The IRA authorized the establishment of a revolving credit fund which has enabled thousands of Indians to become rehabilitated by providing the means for them to apply modern technology in the

<sup>44</sup> Cohen, *op. cit.* (note 5 *supra*), p. 217.

<sup>45</sup> 62 Stat. 236. The General Services Administration in 1957 estimated that 53,100,000 acres of land was held in trust for Indians by the federal government. The Association on American Indian Affairs estimates that some 1,600,000 acres of Indian land have passed from Indian control in the last four years.

<sup>46</sup> *Iron Crow v. Oglala Sioux Tribe of Pine Ridge Reservation*, 231 F. 2d 89, 8th Cir. (1956).

use and development of their land and other resources. For the purpose of borrowing and lending money, many tribes adopted federal corporate business charters under the Act which enabled them to make contracts, to sue and be sued, and to relend to individual members.<sup>47</sup> Loans were also made to Indian credit associations and to individual Indians. While most loans have been made for agricultural, livestock, or fishing purposes, a variety of projects have been financed, including stores, salmon canneries, motels, and arts- and crafts-producing and selling organizations. In recent years, the number and amount of loans have decreased due in part to an increased availability of private credit.

The Act of March 29, 1956 (70 Stat. 62) authorized the execution of mortgages and deeds of trusts on individually owned trust or restricted land in order to stimulate an increase in such credit.

The IRA also authorized annual appropriations not exceeding \$250,000 for educational loans and directed the creation of an Indian civil service under which qualified Indians shall have the preference to appointment of vacancies in any position in the Indian Office.

The IRA encouraged cultural diversity, a part of the essence of democracy, in lieu of a pattern of Indian administration emphasizing undeviating conformity, the essence of the philosophy of communism. Each Indian group was able to administer its own assets, by leasing and conserving its land and spending some of its moneys, and to pass laws for local public services. As leases for oil, gas, uranium, and for other purposes have vastly increased the income of some tribes, several tribal councils have established revolving credit

funds with their own moneys and set up trust funds to provide college scholarships for their younger members. The total amount of tribal funds used for credit purposes now exceed the amount of federal funds so used.

Some of these functions have been performed in co-operation with federal, state, and local governments. The Indian civil and criminal laws have been influenced by federal and state laws; and their courts have granted bail, parole, probation, and suspended sentences and applied other features of modern laws. The Indians have gained experience in a transitional legal system between their unwritten laws and customs and the white man's more formalized system of justice. They have learned also of legislative and administrative procedures; written constitutions (and laws; majority rule; budgets; accounting; public relations; and lobbying in the Congress, Indian Bureau, and Interior Department. They discovered too that despite differences in customs, histories, and organizations, many of the problems of one tribe are similar to those of other tribes, and that national, state, and local organizations are as necessary for Indians as for non-Indians. They gained some experience also in business organizations and methods by forming and dealing with corporations, co-operatives, and credit operations. They have been provided with stepping-stones toward more economic and governmental responsibilities through their own or other local governments.

The IRA demonstrated anew that local groups' activities help fulfill the individual's need for creativity and a feeling of worth, and that democratic methods offer the soundest way to bring people into the economic and political life of our nation of many diverse cultures and peoples. Some of the soundest ingredients of the IRA program have become a part of our foreign-aid pro-

<sup>47</sup> The benefits of the revolving credit fund have been extended to groups which did not adopt the IRA.



gram for underdeveloped areas. From Iran and Israel to India, Latin America, and the Philippines, former officials of the Indian Bureau are helping the people to achieve scientific and locally controlled programs. Exported technicians are thus working in some countries through IRA methods—not from the top down by bureaucratic coercion or paternalistic charity—but by a partnership with people, thus giving natives a sense of purpose, community co-operation, and human dignity.

A related law should be mentioned in passing—the Act of August 27, 1935,<sup>48</sup> which established an Indian Arts and Crafts Board composed of five Commissioners appointed by the Secretary of the Interior. The Board's main function is to promote the economic welfare of Indians through developing arts and crafts.

#### TERMINATION

It is well established that Congress has the authority to determine when the federal government shall terminate its special relationship with an Indian group<sup>49</sup> and when to extinguish Indian title to land.<sup>50</sup> A demand for expediting the termination process, which has often been linked with a demand for the liquidation of the Bureau of Indian Affairs, was especially strong in some periods of history such as the last decade of the nineteenth century and the years 1917–18 and 1922–24. Sometimes, the beneficiaries of federal services to Indians have been limited. For example, the Appropriation Act of May 25, 1918 and subsequent laws in general restricted attendance at federal schools to Indians of one-fourth or more Indian blood.<sup>51</sup>

<sup>48</sup> 49 Stat. 891; 25 United States Code, 1952 ed., sec. 305 ff.

<sup>49</sup> *Tiger v. Western Investment Co.*, 221 U. S. 286 (1911).

<sup>50</sup> *United States v. Santa Fe Pacific R. Co.*, 314 U. S. 339, 347 (1941).

<sup>51</sup> 40 Stat. 561, 564.

The most recent expression of this policy was the passage in 1953 of House Concurrent Resolution 108,<sup>52</sup> which declared that federal supervision should be ended as speedily as possible for the Indians of five named states and seven specified tribes located elsewhere. Subsequently, termination laws were enacted for two of these tribes, the Menominees of Wisconsin<sup>53</sup> and the Klamaths of Oregon,<sup>54</sup> the mixed-blood members of the Ute Tribe of Utah,<sup>55</sup> and a few other groups.

Contrariwise, Congress provided additional help for some Indian tribes. By the Navaho-Hopi Rehabilitation Act of 1950,<sup>56</sup> the appropriation of \$88,570,000 was authorized for a program to improve the educational and economic opportunities of these Indians, including relocation and resettlement, an activity which was subsequently extended to all Indians. While intensified or new functions may be assumed for tribes previously recognized, it is unlikely that new tribes will be recognized for the purposes of the federal government rendering services to them.<sup>57</sup>

It is now apparent that since Indian groups differ widely in the degrees of their acculturation and educational, health, and economic conditions, it would be folly for the government to attempt to fit them into an identical pattern by a general law applicable to all Indian groups.

<sup>52</sup> Eighty-third Congress, First Session

<sup>53</sup> Act of June 17, 1954, 68 Stat. 250; Act of July 14, 1956, 70 Stat. 544; Act of July 14, 1956, 70 Stat. 549.

<sup>54</sup> Act of August 13, 1954, 68 Stat. 718.

<sup>55</sup> Act of August 27, 1954, 68 Stat. 868.

<sup>56</sup> Act of April 19, 1950, 64 Stat. 44. Several rehabilitation bills for other groups failed to pass.

<sup>57</sup> Compare the limited recognition of the Lumbee Indians of North Carolina by the Act of June 7, 1956, 70 Stat. 254, with prior recognition for the Catawaba Indians of South Carolina by appropriations for federal services during a period exceeding the last decade.

# The Demography of the American Indians

By J. NIXON HADLEY

**Abstract:** Various estimates of the size of the aboriginal Indian population of North America exist, but there is agreement on a figure of less than a million and perhaps less than 750,000. By 1850, disease, dissipation, starvation, massacre, and maladaptation had reduced the population to a quarter million. This figure remained until 1900, but has since risen to about 400,000. Now the Indian net natural increase is higher than that for the total population of the country. The Indian population has a much higher proportion of persons under 25 years of age, which with other factors suggests that by 1975 there will be over 700,000 Indians in our country.—Ed.

**A** DISCUSSION of the demography of the American Indians is handicapped by the difficulties in defining who is an American Indian. To a certain extent this is a problem with any group of racially mixed ancestry and varying degrees of acculturation. The legal recognition of the American Indian as a group with special rights deriving from their aboriginal status, without the development of an over-all legal definition, makes for additional complications. Some analysis of the different totals involved under the varying definitions now used is given later, while a more detailed consideration of the problems involved in such variations has been treated elsewhere.<sup>1</sup> Throughout this chapter the term "Indian" unless otherwise specified will include all persons normally considering themselves a part of the Indian community, including both members of tribes not federally recognized and some persons not included in Census tallies.

<sup>1</sup> J. Nixon Hadley, "Problems in Determining the Indian Population of the United States," Paper presented at the Third Inter-American Indian Conference (La Paz, Bolivia, 1954).

## ABORIGINAL POPULATION

The most widely quoted estimate of the aboriginal population of the United States is Mooney's figure of 849,000.<sup>2</sup> The figure is generally considered high, but except for Kroeber's lower estimate for California,<sup>3</sup> no specific corrections have been proposed. Mooney's estimate is actually based on populations at the time of first contact with Europeans, so that data for various areas are not of the same time, but of dates varying from 1600 in New England to 1845 in the area of the upper Columbia and Snake Rivers. It is assumed that pre-Columbian population was about the same as at this period of first contact with Europeans; however, this is an unverifiable hypothesis. Certainly, the aboriginal population was less than one million

<sup>2</sup> James Mooney, "The Aboriginal Population of America North of Mexico," *Smithsonian Miscellaneous Collections*, Vol. 80, No. 7 (Washington: U. S. Government Printing Office, 1928).

<sup>3</sup> A. L. Kroeber, "Native American Population," *American Anthropologist*, Vol. 36, No. 1 (January-March 1934), pp. 1-25.

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people and may well have been less than 750,000.

### *Distribution*

Using Mooney's figures except in California, Kroeber has made fairly detailed analyses of the density of the aboriginal population;<sup>4</sup> the greatest concentrations of Indians were located along the Pacific Coast. He finds the area of the lower Columbia to have supported a population of 63.7 persons per 100 sq. km. and California to have had an average of 43.3. No other major geographical areas were so densely settled, although the Pueblo area is listed at 75.7 persons per sq. km., but the Apache-Navaho country surrounding them included only 2.3 persons. Other hunting areas had similar low densities: the Great Basin 2.5 and the northern Plains 2.6 persons. In the eastern United States densities were somewhat higher: the Southeast had 14.7 persons, and the Middle Atlantic 25.6 persons per sq. km.

### HISTORY

The concept of the American Indian as a dying race was generally correct until the beginning of this century. By 1800 the aboriginal population, originally estimated by Kroeber at 720,000, was down to about 600,000.<sup>5</sup> Fifty years later it was about 250,000.

The major causes of the decline are listed by Mooney<sup>6</sup> as diseases, whiskey and attendant dissipation, removals,

<sup>4</sup> *Idem*, *Cultural and Natural Areas of North America*, "University of California Publications in American Archeology and Ethnology," Vol. 38 (Berkeley: University of California Press, 1939).

<sup>5</sup> "In Fifty Years There May Be as Many Indians as Before the White Man's Arrival," *Indians at Work*, Vol. 11, No. 2 (Bureau of Indian Affairs [Washington, 1943]), pp. 25-28.

<sup>6</sup> James Mooney, "Population," *Handbook of the American Indian*, Vol. 2 (Bureau of American Ethnology, Bulletin 30 [Washington, 1910]), p. 286.

starvation, and the adverse effects of unaccustomed conditions. Effects of war were minor and subsidiary to all of these.

The two major diseases affecting Indian population trends have been smallpox and tuberculosis, of which smallpox has the more dramatic historical record. For example, Schoolcraft<sup>7</sup> reports that in the smallpox epidemic of 1837 the Mandan were reduced in numbers from 1,600 to 31, the Assiniboin lost whole villages, the Crow one-third of their population, while the total deaths among Plains tribes amounted to not less than 10,000 persons in a few weeks. Similar outbreaks are reported as early as 1633 for the Narraganset and as late as 1870-71 for the Assiniboin and Blackfeet.<sup>8</sup> Tuberculosis has not exhibited such dramatic intensities but probably was of equal importance. Unlike smallpox, it still remains one of the major causes of death among Indians.

Other factors listed by Mooney can also be illustrated from the records. The virtual extinction of the Delawares is ascribed<sup>9</sup> to their use of spirituous liquors and general dissipation. The reduction of the Indian population of California from a quarter of a million to 20,000 is chiefly ascribed to wholesale massacres perpetrated by miners and early settlers.<sup>10</sup> The removal of the Cherokees to Oklahoma caused the death of one-fourth of the entire tribe.<sup>11</sup>

For the period 1850-1900 the Indian population remained in the vicinity of 250,000. Shortly after the turn of the

<sup>7</sup> Henry R. Schoolcraft, *Historical and Statistical Information Respecting the History, Condition, and Prospects of the Indian Tribes of the United States* (Philadelphia: Lippincott, Grambo, and Company, 1851).

<sup>8</sup> Mooney, *op. cit.* (note 2 *supra*).

<sup>9</sup> *Ibid.*

<sup>10</sup> Mooney, *op. cit.* (note 6 *supra*).

<sup>11</sup> John R. Swanton, *The Indian Tribes of North America* (Bureau of American Ethnology, Bulletin 145 [Washington, 1952]).

century it began to rise. A number of factors were involved: the amelioration of Indian health conditions had begun; the period of first settlement on reservations and the major problems of first adjustment were over; the Indian wars were over. The result of all such factors was that the Indian population increased from about 250,000 in 1900 to a current total somewhere above 400,000.

#### CURRENT POPULATION

As was stated earlier, the major problem in arriving at the total number of Indians is to determine who is to be included. There are three federal agencies involved in Indian demographic statistics—the Bureau of Indian Affairs, the Bureau of the Census, and the Public Health Service. The inclusion of persons under the category “Indian” varies with the particular interest of these agencies.

The Bureau of Indian Affairs has the primary responsibility for the Indian problem as it affects the executive branch of the federal government. Its population statistics go back in a fragmentary form into the early 1800’s when the Bureau was in the War Department. These early figures are usually estimates rather than actual counts. At all times the figures include only those persons entitled to services from the Bureau of Indian Affairs, that is, members of those tribes having treaty relations with the federal government.

Inclusion of those persons entitled to services from the Bureau of Indian Affairs results in occasional changes, mirroring shifts in policy. A résumé of the history of population statistics of the Five Civilized Tribes of Oklahoma illustrates this. Early population reports on this group normally included intermarried whites who had been formally adopted as members of the tribes. During the Reconstruction period ex-slaves

of tribal members given membership rights by Act of Congress were also added to the rolls and population count. Other additions were made during the preparation of final rolls used in distributing tribal land resources. Any person who could establish descent from a member of one of the Five Tribes was eligible for enrollment without stipulation as to minimum degree of Indian blood or place of birth. As a result, the final rolls as established in 1906 included a large number of persons of minimal Indian ancestry and some of no Indian ancestry. Each enrollee received an allotment from tribal lands, although those of half or more Indian blood were given restricted titles and remained in a wardship status. Since this was a final roll, the number of enrollees was used for the next twenty years by the Indian Bureau as the total population. However, no adjustment was made for births or deaths nor for the fact that allottees of less than one-fourth Indian blood were receiving no services from the Bureau. In 1930 an adjustment was made to arrive at an estimated total number of living persons of one-fourth or more Indian blood, and all subsequent figures have followed the same pattern. This history of the Five Tribes census is an extreme example, but not unique.

#### *Indian Bureau counts*

Indian Bureau counts have varied from time to time and from tribe to tribe to correspond with changes in definitions. Specific rolls made up for distribution of assets in land or money represent the most scrupulous efforts of bonded disbursing officers to attain accuracy, but comparison of any two such rolls must wait on an assurance that they were prepared in accordance with the same definitions. Under such circumstances, the Bureau currently lays little emphasis on routine reporting of

the total population under the Bureau's jurisdiction, although such reports were prepared on requests from Congress in 1950 and 1952. In theory there should be a listing of persons meeting standard requirements for special community services through Bureau channels, such as education or general welfare assistance. These requirements are tribal enrollment, residence on tax-exempt land, and possession of one-fourth or more Indian blood. However, to maintain such a listing on a current basis requires more clerical time than is usually available in an Indian agency; and on most reservations, the community is small enough and stable enough that the facts are routinely known for any applicant without need for verification by a specially prepared list of eligibles.

#### *Bureau of the Census counts*

The Bureau of the Census is interested in Indians as one of the minor races to be reported at decennial intervals. Previous to 1890 it did not include reservation Indians in its totals. From 1890 on, Census totals should include more than those reported by the Bureau of Indian Affairs since they purport to list any "person of mixed white and Indian blood . . . , if enrolled in an Indian agency or reservation roll, or if not so enrolled, if the proportion of Indian blood is one-fourth or more, or if the person is regarded as an Indian in the community where he lives." In practice, the enumerator usually determines race by inspection without asking a specific question, and many quarter-bloods, or enrollees of still lesser blood quantum, are not so recognized. This is particularly true in nonreservation areas. As a result, Census Bureau counts including Indians not under the jurisdiction of the Bureau of Indian Affairs have been lower in each Census from 1900 to 1950 than the Indian Bu-

reau's count of the same year of Indians under its jurisdiction.

A more detailed inspection of Census Bureau statistics on Indians shows a discrepancy from one decennial census to the next. Indian populations reported for 1900, 1920, and 1940 are apparently of a lower order than those for 1910 and 1930. For the latter two Censuses a special census was taken of all Indians, with the result that persons were included in the Indian total who presumably were not so counted on the intervening censuses. The 1950 Census is a special case. In terms of past patterns this should have been another special coverage of all Indians, but instead the special Indian schedule was employed only for residents of major reservations, the areas where the enumerator was least likely to miss enrollees of minor blood-quantums from his total. At the same time it was administratively determined that certain persons of mixed racial origin who had been included in the Indian count in previous censuses would be arbitrarily transferred to a residual category "all other nonwhites"; this transferral cancels out about three-fourths of the net increase which would otherwise have been reported between 1940 and 1950.

#### *Public Health Service*

The Public Health Service has a dual interest in Indian demography: the specific administrative concern of its Division of Indian Health and a more general concern of the National Office of Vital Statistics for one of the racial components of the United States. In the administration of the Indian health program the needs of the Public Health Service parallel those of the Bureau of Indian Affairs—the Public Health Service is dependent on Bureau records for determination of such basic facts of eligibility as tribal membership and

TABLE 1—COUNTS OF AMERICAN INDIAN POPULATION, 1950

SOURCE	TOTAL NO. OF INDIANS	NO. OF INDIANS ON B.I.A. ROLLS	NO. OF INDIANS NOT ON B.I.A. ROLLS
Census.....	345,000	330,000	15,000
Self-identification.....	75,000	45,000	30,000
Others.....	25,000	25,000	—
Totals.....	445,000	400,000	45,000

place of residence. In an effective way, this interest is limited to the service area of the Public Health Service's Indian health facilities. Recognition is given, however, to the possibility of return to the service area of tribal members living in other parts of the country.

In the field of vital statistics the interest is broader. Reports on births and deaths include all persons who normally report themselves as Indians. This includes members of tribes not under federal jurisdiction and persons from the mixed-blood groups excluded from the 1950 Census tally, but does not include all enrolled tribal members with minor amounts of Indian blood.

### *Distribution*

No exact determination can be made of the number of persons in each of the categories indicated above, but some broad indications of 1950 distributions are possible.

The 1950 Census reported approximately 345,000 Indians, at least 15,000 of whom can be identified from their place of residence as members of tribes not under federal jurisdiction. An additional 75,000 persons would normally report themselves as Indians on such documents as birth and death certificates, including about 30,000 of the mixed-blood groups excluded from the 1950 Census. Most of the remaining 45,000 are enrollees in federally recognized tribes. In addition, there are at least 25,000 more persons entitled to legal recognition as members of tribes

with federal treaties who do not usually report themselves as Indians.

Most of these latter estimates are minimal. The mixed-blood groups excluded from the 1950 Census are counted in terms of Beale's report<sup>12</sup> that 32,856 such persons were listed as Indians in the original schedules for 1950 before editorial revision. The standard authority for these groups<sup>13</sup> gave an estimate of 75,000 to 100,000 persons in 1930. The estimate of 25,000 enrollees in federal tribes not usually reporting themselves as Indians is based on the incomplete reports readily available to the Indian Bureau. Inclusion of all descendants of persons on the final rolls of the Five Tribes would greatly increase this.

Under any of the varying definitions, the states with the greatest number of Indians are Oklahoma, Arizona, and New Mexico (see Figure 1). They have held this rank for over forty years. During the period 1910–50 the Indian population of Oklahoma has decreased, according to the Census Bureau, from about 75,000 to about 54,000. During the same period the Indian populations of Arizona and New Mexico have in-

<sup>12</sup> Calvin L. Beale, "The Enumeration of Mixed-Blood Racial Groups of the Eastern United States in the Census of 1950," Paper presented to the Population Association of America (Cincinnati, Ohio, 1953).

<sup>13</sup> William H. Gilbert, "Surviving Indian Groups of the Eastern United States," *Smithsonian Institution Annual Report, 1948* (Washington: U. S. Government Printing Office), pp. 407–38.

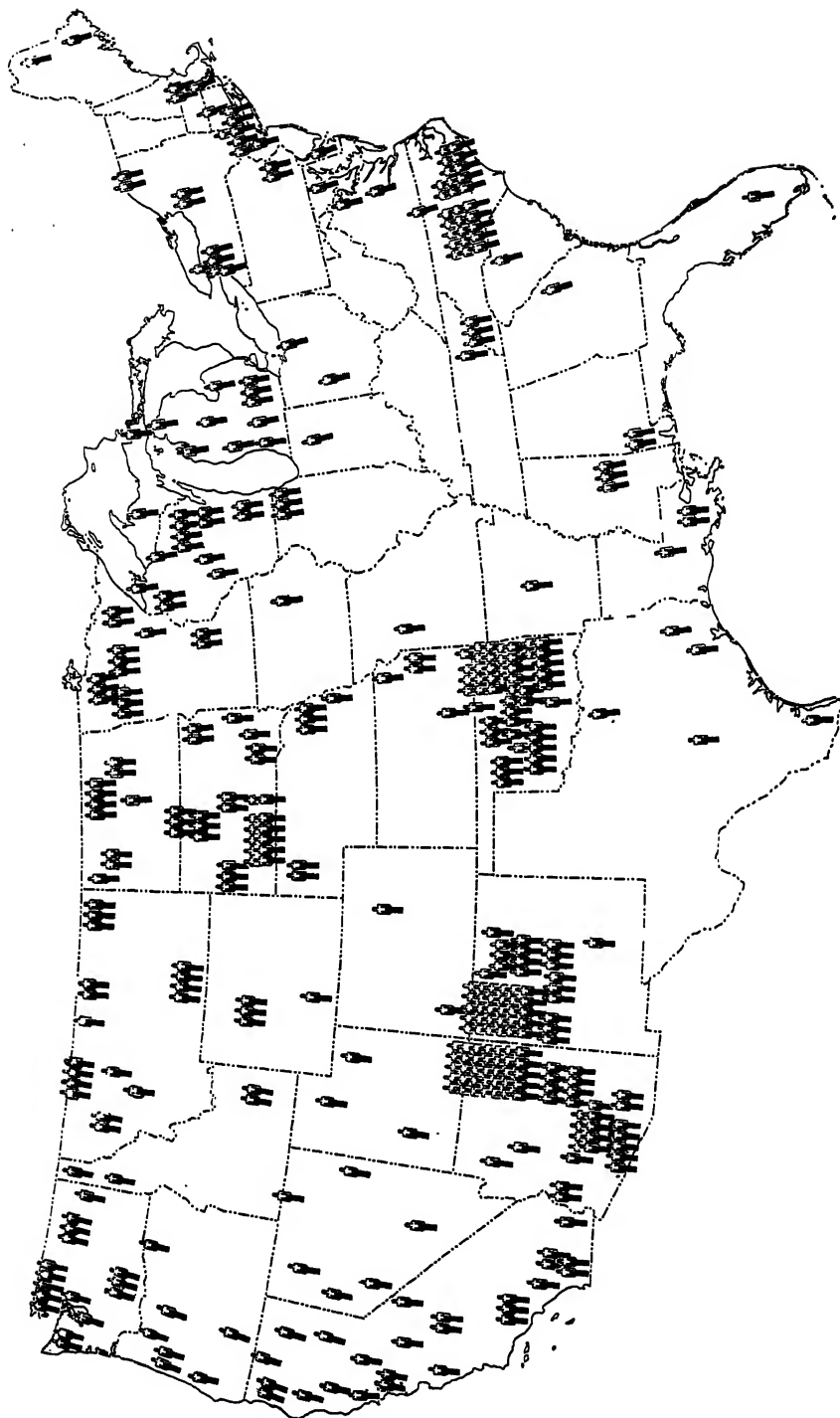


FIG. 1. INDIAN POPULATION OF CONTINENTAL UNITED STATES, 1950  
Each figure represents 1,000 Indians (U. S. Census data adjusted for underenumeration)

creased from 29,000 to 66,000 and from 21,000 to 42,000 respectively. These increases are primarily increases in Navaho population. For reservation areas other than the Navaho in Arizona and New Mexico as well as other states, little increase is noted in resident population, and in some areas, as in Oklahoma, there are decreases. The increasing Indian population has been accommodated away from the reservation. During the decade 1940-50 the total Indian population increased by about 20 per cent, from about 360,000 to 420,000 (Division of Indian Health figures). The twenty-four states without federal reservations had an increase in Indian population of nearly 90 per cent. The greatest proportionate increases in the decade were in Virginia, Ohio, Alabama, and New Jersey.

### *Characteristics of the population*

The Indian population is a young population. Half of the Indians are less than 20 years of age in contrast to the total population where only one-third of the people are under twenty.<sup>14</sup> This age distribution reflects a high birth rate—32.1 per 1,000 population during the period 1949-53 inclusive compared with 24.5 for the total population in 1951—however this high birth rate is offset by a high death rate in childhood and early maturity. The result is a distribution differing markedly from the United States average; Indians have higher proportions at all age groups under 25 and lower proportions than the United States average at ages above 25. The deficiencies over age 25 are more marked among females than males.

Data on the amount of racial admixture in 1950 are available only for residents of major Indian reservations, excluding those in Oklahoma. Fairly de-

tailed discussions of this material have been presented elsewhere.<sup>15, 16</sup> Tribes reporting the smallest proportions of mixed bloods were the Navaho, Pima-Papago, and most of the Pueblos. At the other extreme, the greatest proportion of persons listed as less than one-fourth Indian were found at the White Earth and Flathead Reservations, each having about 25 per cent in this category. No direct comparisons can be made with data for 1910 or 1930, when all Indians were included in the count, although it appears that while the proportion of mixed-bloods is increasing in each tribe, the large increase in full-blood Navahos may reverse this trend for the total Indian population.

### FUTURE TRENDS

During the period 1900 to 1950 the Indian population increased by about 70 per cent, while the total population of the United States increased by about 100 per cent during the same period. The difference is partially accountable for by immigration, which has markedly increased the total population, but had little effect on the Indian population. At present the net natural increase for Indians is considerably higher than for the total population. For the period 1951-53 the Indian rate is given<sup>17</sup> as 22 per 1,000 population, without correction for underregistration of births, compared with a United States rate in 1951 of 15 per 1,000. Correction of the Indian rate would undoubtedly be less than the 15 per cent of birth certificates not matched in the 1950 Birth Registration Test,<sup>18</sup> but would still be an ap-

<sup>15</sup> *Ibid.*

<sup>16</sup> "Indian Population of Continental United States, 1950" (Vital Statistics Section, Branch of Health, Bureau of Indian Affairs [Washington, D. C., 1954]).

<sup>17</sup> *Op. cit.* (note 14 *supra*).

<sup>18</sup> Sam Shapiro and Joseph Schachter, "Birth Registration Completeness in the United States

<sup>14</sup> *Health Services for the American Indian* (Washington: United States Public Health Service, 1957).



preciable amount, increasing the difference with the national average.

It may be reasonably assumed that current preventive health and medical care programs will reduce the present excessive Indian death rates in the lower age groups. While this will have the immediate effect of lowering the death rate at all ages, the increasing proportion of persons in the older age groups will presumably tend to level the crude death rate and, over a longer time span,

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and Geographic Areas, 1950," *Vital Statistics—Special Reports*, Vol. 39, No. 2 (Washington: U. S. Public Health Service, 1954).

to decrease the birth rate. The most recent estimate of Indian population trends<sup>19</sup> has given consideration to such factors and made the rather conservative assumption that a net rate of increase of 23 per 1,000 population in 1955 would gradually decrease to 20 per 1,000 by 1974, which would give an Indian population of about 720,000 in 1975. This constitutes an increase of over 50 per cent for the next twenty years for the Indians compared with an increase of less than 40 per cent for the general population of the United States.

<sup>19</sup> *Op. cit.* (note 14 *supra*).

# The Role of the Bureau of Indian Affairs Since 1933

By WILLIAM ZIMMERMAN, JR.

**Abstract:** A new and dynamic administration took charge of the Bureau of Indian Affairs in 1933. In 1934 the Indian Reorganization Act was passed. The Act survived all attacks and remained the foundation of the policy of the Bureau at least until 1950. The sale of Indian land was halted, a loan fund created, a movement away from reservation schools to public schools started, and so forth. After 1950, policies have been followed which aim at a special social integration of the Indian and the termination of federal control or supervision as quickly as possible; but there are signs that Congress is giving a second look at these policies, which in many instances have proved detrimental rather than helpful.—Ed.

HAROLD L. Ickes became Secretary of the Interior and John Collier Commissioner of Indian Affairs in the new administration of Franklin D. Roosevelt. The new administration sounded a fresh note. The Commissioner was confronted, so he said, by a situation which was one of continuing drift of Indian physical assets and Indian life. This was due to no malice on the part of the government, but to a policy which took for granted the extinction of the Indian. Policies of a rigid institutionalized Bureau resulted in the alienation of Indian land, disintegration of Indian tribal and cultural life, and economic decline of Indians as groups and as individuals.

Even after twenty-four years it is still easy to relive the first months of the new administration. There were endless meetings, inside and outside of working hours. In the evenings we sometimes met at Collier's apartment, which was so sparsely furnished that some would sit on the floor. On a bright Sunday morning the meeting might be on a grassy point in Potomac Park. There was zest and fun in those

meetings, but also always a sense of urgency, of fighting time, of doing things now, before it should be too late; but there was always a feeling of accomplishment.

Very soon a new voice was strongly heard in Indian meetings. Felix Cohen did not come to Washington to make himself the foremost student and exponent of Indian law; he became that almost by accident. Yet he was soon heard not only on legal problems, as in drafting the original Wheeler-Howard bill, but also on the countless issues which involved both law and policy. Day after day, month after month, his thoughts and his voice kept the bureaucrats in line. Never were they allowed to lose sight of the ultimate objectives.

Another powerful stimulus was Harold Ickes. In those first months before the tentacles of bureaucracy took hold, it was almost a daily routine for Mr. Collier and the Assistant Commissioner, each morning before nine, to dash up two flights of stairs to the Secretary's office and tell him quickly about the newest problems or get an answer to a

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vexing question. By the time Mr. Ickes became adequately insulated, the new bureaucrats, too, knew more about protocol and procedure; but they lost the fresh, friendly, informality.

What were the innovations or the reversals of policies and conditions for which the Collier administration deserves credit? As Mr. Collier saw them at the end of his first four years, they were five:

(1) The Indian Reorganization Act of 1934, with its Alaska and Oklahoma supplements of 1936.

(2) The attack on problems of physical conservation: of land, soil, water, and vegetation.

(3) An over-all endeavor to cause Indians to go to work.

(4) Stoppage of Indian land losses and restoration of some of the lands which had been lost. Also, the development of a credit system based on the principles of a credit union which would make possible the full utilization of all Indian lands.

(5) A shift in educational goals from white-collar to agrarian ideals, from routine grammar school to community school ideals, from a ban on native Indian culture to its encouragement and utilization. At the same time a new emphasis was put on technical and professional training.

#### WHEELER-HOWARD BILL

The original Wheeler-Howard bill was undoubtedly the most comprehensive single Indian bill ever introduced in Congress. Even so, it was only one of a number of acts to place a new foundation under the American Indians. The Johnson-O'Malley Act of 1934, the Indian Arts and Crafts Board of the same year, the extension of the Reorganization Act to Alaska and Oklahoma in 1936, and finally the Indian Claims Commission Act, which was not passed until 1946, were all in the new program.

While the Wheeler-Howard bill in particular expressed the philosophy of the administration, it was clear from the outset that many people, including many Indians, opposed it. In an effort to bring understanding to the Indians, a series of regional meetings was held at which the Commissioner and members of his staff explained the provisions of the bill, first in large public sessions and then in small discussion groups. Indians and their tribal attorneys laboriously studied the complicated proposals. After the bill became a law, the Indians again had to consider it, for the law provided that it should not apply to any reservation unless the Indians voted to accept it. The whole history of the legislation is another example of what John Collier has called the "bi-lateral, mutually consenting, contractual nature" of the government-Indian relationship.

To this relationship, the Eisenhower administration, by its adherence to "consultation" and its denial of the right of consent, has been oblivious. Recently Commissioner Emmons, in a statement to the Indian delegates at one of the regional meetings which he has been holding, advanced an extraordinary argument against this mutuality—namely, that consent is "insidious" and too costly. After stating the three essentials of consultation and after commending the Indians for sending as delegates such "fine men capable of leadership," Mr. Emmons went on:

I don't think the Indian people have a more sympathetic champion than I to your problems. Of course, we have to sift a lot of suggestions that are made as a number of them are not in good faith. Sometimes it can be a very insidious proposal that looks beautiful, but when you analyze it, it is the worst thing for the Indian people. I refer to the word 'consent.' . . . That word consent—I wonder if you know what that would involve. In any action taken regard-

ing Indian affairs, the council of the Indian people would be required to be there every time. Can you see what that would involve? You can see, too, the amount of money that would involve. The U. S. Government can't afford to pay that, and I doubt if the tribes in America could afford to pay this every week.

Although Mr. Emmons' remarks are here taken out of the 1956 context, they could have been said as appropriately in 1934; and they illustrate one of the basic disagreements between Indians and administrators—the difference between letting the Indians make decisions and having the bureaucrats, no matter how sympathetic they may be, decide what is best for the Indians.

#### INDIAN REORGANIZATION ACT

As an administrative vehicle, the Indian Reorganization Act was calculated to confirm in the tribes certain rights to decide and to act; it was also designed to restrain or curtail the Bureau's authority. When the constitutions and charters were drafted, still too many tribal actions were made subject to Departmental approval. On the other hand, most of the charters contained provisions for the termination of the various Secretarial authorities after a term of years and after a vote by the tribe. This was still another example of the right of the Indians not merely to advise and consult, but themselves to decide.

When the Indian Reorganization Act was finally approved it was very different from the original bill. Unfortunately there was still much confusion. Many Indians thought that they were voting on the original bill. Some tribes were influenced by their superintendents and other agency employees who saw threats to their security. Others voted against it either because they were distrustful, having in mind a long series of unsatisfactory dealings with the govern-

ment, or because they saw no quick way in which the Act would help them.

Almost immediately after the Act became law agitation began for its repeal. Yet the Act survived all attacks, and until 1950 it was certainly the foundation of policies formulated by the Bureau and the Department. At the risk of making a sweeping generalization to which everybody can take exception, I should conclude that the policy was beneficial to the Indians. Certain results can be documented. The sale of Indian land was halted, at least temporarily. Substantial additions to the Indian land base were made as the result of outright purchases, exchanges, and restoration of ceded lands. Other sources of money, notably appropriations to the Emergency Relief Administration and its successors, were tapped for the purchase of "submarginal lands"—mostly lands which had been farmed and ought to be restored to grass. Also carrying out the IRA policy of adding to the Indians' land, the Congress in four years added 1,200,000 acres by legislation.

One of the urgent needs of the Indians was capital and credit. The loan fund created by the Act and subsequently enlarged by the Oklahoma Indian Welfare Act was fully as important as the land fund. An outsider's appraisal of this activity in 1952 summarizes its success: "From June 30, 1936, to June 30, 1952, all types of loans by the Bureau totaled \$30,911,060, of which \$22,797,722 has been repaid, and \$91,268 has been charged off. Thus from 1936 to 1952, losses due to charge off amounted to 0.22 per cent. This is an excellent record when operational difficulties, types of loans, and quality of credit bases are considered."<sup>1</sup>

<sup>1</sup> W. A. Schoenfeld, "A General Review of Credit Policies and Procedures of the Bureau of Indian Affairs," A Report to the Commissioner of Indian Affairs (January 3, 1953).

More land and more credit soon meant more extension work, more cattle, and more Indians farming. The control of grazing which had begun in the Rhoads administration was made more effective. For the first time a mass attack was made on soil wastage and bad land use. When the Soil Erosion Service, later Soil Conservation Service, was established in the Department of the Interior its first major operations were on Navaho and other Indian lands.

Conservation of forest resources began in 1911; it received new support from the language of the IRA directing "the operation and management of Indian forestry units on the principle of sustained yield management." In this field of resource conservation, great service was rendered by the Civilian Conservation Corps with its separate Indian unit and by the Public Works Administration. Public works money also made possible a rapid improvement in the medical and educational plants. Some twenty hospitals were repaired or enlarged and at least nine new ones were built.

In education the shift from boarding schools to public or federal day schools followed the recommendations of the Meriam report. The first state contracts for Indian education in public schools were with California and Washington for the fiscal year 1935. Contracts with Minnesota came a year later. New buildings and a new curriculum also appeared. Emphasis was placed on vocational training and on arts and crafts as a factor in Indian life and economy. The Arts and Crafts Board, working closely with the Education staff, labored to raise standards, to increase production and improve marketing; it also started many new enterprises. In the Eisenhower administration many of these programs have been shut down or abandoned, and Bureau

support and guidance have been withdrawn.

In March 1944, in presenting his last budget to the House Appropriations Subcommittee, Commissioner Collier, responding in effect to an attack on him by the Senate Committee on Indian Affairs (Partial Report 310), made what turned out to be a valedictory:

... We have tried to energize the individual Indian and the group, and to equip individual and group with knowledge and skills to enable them to go into the white world successfully if they want to or to hold their own and make their way where they are if they want to. That is the meaning of the Indian Reorganization Act and of all other major things we have been working at. . . . In brief, we have quit thinking about assimilation and segregation as opposite poles and as matters of "all or nothing." They are over-simplifications of thinking which do not connect themselves with the dynamic realities. Indians are more themselves than they have been for a long time, and they certainly are more assimilated than they ever were.

#### APPROPRIATIONS

In a different key, Mr. Collier made reference to the decline in appropriations for the Indian Bureau. The total for 1944, including both federal and tribal funds, was \$28,843,902 compared to \$30,445,092 for 1932. It was apparent in 1941 that the forward momentum of the Collier regime was slowing down. This was due to many causes. There was antagonism between the Commissioner and some members of the Congress. Most important, however, was the war, which compelled a reappraisal of policies involving expenditures and exiled the Indian Bureau to Chicago for five years. Although Mr. Collier remained in Washington, with a small liaison staff, administration became more difficult. There was the further loss in dealing with Congress. Staff members when they came to Wash-

ington were usually busy with advance appointments or with committee hearings. Certainly there was less Congressional understanding and interest as the war went on. One of the casualties of this period was the placement or employment unit. Congress said that every able-bodied Indian could now find a job and eliminated the appropriation.

When the next appropriation hearings were held a year later, Mr. Collier had been succeeded by William A. Brophy, Collier's own choice to succeed himself. Unfortunately, ill health kept Mr. Brophy away on leave through much of his tenure, which ended in June, 1948. Then came John R. Nichols who remained less than two years. It is no disrespect to these men to say that they did not significantly change the course of Indian affairs. Each made some changes in organization and personnel, but they were not in office long enough to alter policies materially.

#### NEW DIRECTION UNDER MYER

With the accession of Dillon S. Myer as Commissioner of Indian Affairs in May 1950, the Bureau began a new epoch. Mr. Myer was not informed about Indians, but he had experience with the Japanese as Director of the War Relocation Authority. He had his own ideas about the administration of the Bureau. There was never a question of Mr. Myer's integrity and ability as an administrator. He was responsible for a general "tightening up" in administration.

According to the Commissioner, his first year saw "a great change in the basic organization of the Bureau." The result of this change was a further delegation of authority to area directors and an increase in their authority over superintendents. Superintendents have become the servants or errand boys of

the area directors, for they have no control over funds or personnel.

New emphasis was placed on plans and programs. In particular, first steps were taken to start the Navaho rehabilitation program, which the Congress had approved before Mr. Myer became Commissioner. Other rehabilitation programs, such as the Papago, on which the tribal council had worked for several years, were not pushed. In connection with the Navaho education program, perhaps for the first time there appeared a flat statement by a Commissioner of Indian Affairs that "the Federal off-reservation education of Navahos is directed entirely toward the preparation of these children for permanent off-reservation employment." It is noteworthy that the utilization of the largest of the off-reservation schools, Intermountain School at Brigham City, Utah, was preceded by approval of the Navaho Tribal Council.

In the field of resources Commissioner Myer's own appraisal of his program read as follows:

Development of the latent physical resources of the Indians throughout the Country is being hastened. Indian land is being brought under irrigation to protect their water rights, as well as to increase yields and convert large blocks of grazing land into productive crops. They are being provided with increased economic opportunities through industrial and agricultural development of their resources and adequate training programs to fit them for employment in skilled occupations off the reservations. There is opportunity for a wide expansion of cattle herds, establishment of small businesses, initiation of saw-mill enterprises to market Indian timber, and many other methods of increasing Indian income.

Mr. Myer also made one comment which deserves quotation here: "The Indians have demonstrated the progress they can make when financing and

technical and supervisory assistance are made available to them."

Under Commissioner Myer came a change in credit policy, which was extended under Mr. Emmons. Intensive efforts were made, Mr. Myer reported in 1952, in his last annual report, to obtain loans for Indians from banks and other types of credit institutions rather than from the Bureau. As a part of this new policy, the Bureau issued regulations permitting Indians to mortgage trust or restricted land, thus reversing both policy and legal opinion which had prevailed since allotment began.

Several years later, some insurance companies expressed doubt as to the legality of this regulation. The Bureau then supported legislation to validate mortgages already made and leave no doubt as to future transactions. If the Bureau follows the same easy policy on mortgages that it has followed recently on land sales and patents in fee, the mortgage will become just one more easy road to land alienation.

#### TERMINATION

The Bureau was also giving much attention to termination or withdrawal. Bills for the Indians of California and of western Oregon were presented to Congress, but were not enacted. Discussions were carried on about Klamath, Menominee, Osage, and other tribes. As to the Klamath and Menominee, Commissioner Myer's summary may stand as a model of understatement:

Although both tribes indicated some initial reluctance to contemplate the prospect of Bureau withdrawal, a number of consultations were held with them during the fiscal year and efforts were being continued to elicit their active cooperation in the development of constructive programs.

In 1952, in a letter to the Chairman of the Osage Tribal Council, Commis-

sioner Myer made three points about termination, the third of which has been subsequently ignored. As to tribes which desire to assume some of the responsibilities which the Bureau now carries, he was prepared, he wrote, "to work with such tribes in the development of an appropriate agreement, *without termination of the trusteeship relationship.*"

This was in effect a return to the plan proposed in 1947 by the present writer, who was then acting Commissioner of Indian Affairs, when he testified before the Senate Committee on Civil Service headed by Senator Langer. That testimony has since been repeatedly misquoted and misinterpreted. The Committee's announced purpose was to reduce the number of federal employees. The Indian Bureau was only one of many agencies to appear. Testifying under subpoena and replying to a demand from the Committee, the witness said that Bureau services could be curtailed or eliminated as to certain tribes and reservations, by groups. He specified certain criteria which the Congress should consider in such reduction in services, and he indicated that these criteria did not apply uniformly. In fact all four could not be applied to any one tribe.

The witness also submitted drafts of a number of proposed bills whose enactment would permit reduction in Indian Bureau personnel. A bill for Klamath Indians proposed a federal corporation with a life of fifty years and provided that "none of the property of the corporation shall be subject to taxation until otherwise provided by Congress." The Menominee proposal also called for a federal corporation, and it specified that the tribal lands should remain in trust, non-taxable, and inalienable for fifty years.

These proposals were very different from the termination bills which the

Klamath and Menominee Indians were finally constrained to accept. It was clear then, as it is now, that these tribes cannot survive economically if their tribal property is taxed.

### *The current scene*

Let us now examine the current situation with Glenn L. Emmons as Commissioner of Indian Affairs. It is not easy to evaluate the present, partly because the trees are so close that the forest's outlines are not clear, but also partly because at so many points the actions of the Bureau are impossible to reconcile with announced policies. There is also disagreement within many tribes, as much disagreement about policies and personalities as there is on the outside. Much of the disagreement is the inevitable result of the ferment of the last twenty-odd years. Indians are more articulate now, and both the majority and the minority speak, vote, and occasionally fight for their opinions. Many Indians believe that the Bureau, instead of going along with a tribal majority, sides with the minority when the minority supports Bureau policy.

Sometimes, too, there is a break in the communication system. A Secretarial letter to a Washington, D. C. attorney made a basic decision about Blackfeet election procedures, but a copy of the letter was not sent to the tribe nor to the tribal attorney. Again, in a controversy at Fort Berthold, after two years of argument, a Departmental decision made possible the holding of an election; but public notice of the decision was apparently not given. One of the tribal factions learned of the decision which called for tribal action within a stated time limit from a private citizen, not from the Bureau. It is easy to argue that such lapses are inadvertent, but it is hard to persuade Indians that they are not all part of a pattern.

### EDUCATION AND HEALTH

In two major fields, health and education, the Bureau has effected far-reaching changes since 1953.

First, in the field of health, on July 1, 1955, it completed the transfer of all medical work to the Public Health Service. The legislation requiring this transfer was sponsored by the Council of State and Territorial Health Officers and by numerous private organizations including the National Tuberculosis Association and the Association on American Indian Affairs. If any one person deserves major credit for this legislation it is the late Dr. A. J. Chesley, of Minnesota. The public record shows that it was initially opposed by the Department of the Interior and by the Department of Health, Education, and Welfare. Not until it became almost certain that the bill would pass did the Department of the Interior reverse its position.

The first result of the transfer was a large increase in appropriations; they rose from \$21,000,000 in 1953 to \$38,000,000 in 1956. For 1958, the Public Health Service is asking more than \$50,000,000. There certainly has also been some marked improvement in medical services. More doctors are on duty, perhaps totaling 100, who are almost all young men subject to military draft. More patients are in hospitals, even though there are no additional nurses. After a year and a half in control the Public Health Service is still side-stepping two basic issues: which Indians are eligible for medical care and which ones, if any, should pay for services. In a letter written in January, 1957, the Public Health Service comments: "No Indian, either on the reservation or off, has a legal entitlement to medical service under the Indian health program." If the Public Health Service should take the position that medical



care for Indians is given as an act of grace, as may be here implied, it is certainly headed for trouble.

The Bureau under Commissioner Emmons claims and deserves credit for getting more children, especially Navahos, into school. In three years as a result of truly herculean efforts by the staff, especially employees on the Navaho reservation, the Navaho school attendance was increased by about 10,000 children. Most of these are in boarding schools at long distances from home. Many are in public schools in the "peripheral" towns of Gallup, Holbrook, Winslow, and others and are housed in Bureau-operated dormitories. The Bureau pays tuition for these children, and the federal government also pays for additional school capacity on the theory that these are "Federally impacted areas."

The Bureau in 1955 launched a pilot program in adult education designed to make five tribal groups literate in English, and it supported legislation for a program of vocational training. Yet, at the same time it has eliminated or curtailed many activities which seem to involve vocational training. Most of the school-cattle herds, beef and dairy, have been abolished or greatly reduced. School farms have been abandoned. The school farm at Flandreau, instead of being turned over to the local Indians, was declared surplus and offered for public sale. Arts and crafts projects have been shut down or left to shift for themselves. Bureau guidance and support have been stopped, as for example, for the Qualla Co-operative at Cherokee, North Carolina; the Sequoyah weaving project in Oklahoma; and the pottery and weaving project at Pine Ridge, South Dakota.

#### INDUSTRY AND RELOCATION

A new program, which may have important results, plans to bring industry

to the reservations.<sup>2</sup> About ten small factories are now either in operation or expected to begin operation before the end of 1957. Cheap, stable, labor supply is the lure; although in some places the attraction may be free land or a suitable building. The Navaho Tribe, for example, is paying for the construction of a building to house a children's furniture factory at Gallup. Again, however, a seeming inconsistency exists. Indian-owned enterprises are being liquidated. The Flandreau garment factory, which made a small profit during each year of its existence, was closed. Here was a small plant in a small Indian community whose average family income was less than \$1,000 a year. The factory had a pay roll of about \$28,000 last year, or an average of nearly \$500 per family. On a very different scale is the Alaska fishing industry. After a profitable period of ten or fifteen years, the community-owned, Bureau-financed canneries lost large sums. The Bureau takes no share of the blame for mismanagement, but now plans to lease these canneries to private operators at nominal rentals. Presumably the non-Indian lessee will make a profit.

Two other major aspects or questions of policy remain to be considered; they are the attrition of the land base and the increased emphasis on relocation. The policy in the 1930's assumed a continuing increase in the land base. A real start was made. But World War II and the changes in policy since 1950 put an end to the purchase program. Recently a member of Congress, not himself opposed to wholesale land sales, said to me that if the present policy continued for another five years there

<sup>2</sup> A bill, Senate 809, has been introduced in the current session by Senator Langer and about twenty other Senators; its aim is to encourage the development of industries on reservations.

would be no Indian reservations in his state, only Indians. In the past four years approximately 1,600,000 acres of Indian land have gone out of trust. This is roughly 12 per cent of the allotted lands. The present Bureau policy emphasizes the right of the competent Indian to take fee title to his allotment. It ignores the fact that the allotment was received because the individual owner was a member of the tribe, and that allotments were often made over tribal opposition. Even if the sale is detrimental to the neighbors or to the tribe, the sale goes through; the Commissioner, however, has said that he will hold key tracts. Even if the wholesale issuance of fee patents is defensible, there is greater doubt about the supervised sale of land belonging to incompetents. The Commissioner's reports disclose that more land has been sold by supervised sales than has been patented. Generally, such sales provide money for living expenses for a period of months, perhaps years; after it has spent this money the family goes on some form of relief, or leaves the reservation.

To many Indians there seems no alternative to leaving the reservation, either voluntarily as thousands have already gone, as migrants, or now officially as "relocatees" receiving financial and other help. It is now just fifty years since the Bureau first made an effort to find off-reservation employment for Indians. In those fifty years thousands of Indians have left their homes, mostly for urban areas. Rapid City has 4,000 Indians. Nobody knows how many are in Minneapolis; estimates run from 3,000 to 8,000 or more. Seattle, Portland, Los Angeles, and Phoenix are centers of Indian migration. Smaller towns in many states have hundreds. Statistically there is no basis for saying that any certain percentage of migrant Indians will succeed. The same statisti-

cal lack exists for the officially relocated Indian. In the years when Dillon Myer was Commissioner of Indian Affairs, the placement service was revived under the new name; this was taken over from the War Relocation Service which concentrated Americans of Japanese ancestry in camps. Relocation in the present administration is being carried out on an increasing scale. Roughly, \$1,000,000 was appropriated in 1956 and \$3,500,000 in 1957 for carrying on this work. In 1955, 650 family groups and 800 single men and women were relocated, a total of 3,400 persons. Most of these required financial assistance. In 1957 approximately 10,000 persons will be relocated, of whom 80 per cent will need financial help. With increased appropriations, those who need help will receive larger, more nearly adequate sums: for transportation to the job, for a month's subsistence, for clothing, for furniture, and for a year's Blue Cross medical protection. Undoubtedly, some Indians are asking for relocation because they see no hope at home in the face of the current policies on land and credit. The Blackfeet to the contrary, as an example, recently advertised free sites to industries which would locate on the reservation and stated that 1,500 Indians available for work did not want to be relocated.

#### CONCLUSION

The history of government-Indian relations seems to be a succession of waves. One generation of Indian administrators seems to learn little from its predecessor. About thirty years passed, a generation, from the establishment of the Union to the beginning of the era of removal. About thirty years thereafter the planners and administrators began to argue for allotment. From 1857 to 1887 every Commissioner

of Indian Affairs, except one, urged allotment.

The General Allotment Act of 1887 set a national policy, which reached its high mark just thirty years later, in 1917. At that time, Secretary of the Interior Franklin K. Lane approved the policy of Commissioner Cato Sells of issuing "forced patents" to Indians who were competent in his judgment, even though the Indians had not asked for patents. Today, through an act passed by the Congress in 1956, the Secretary of the Interior has the same power over Indians of the Five Tribes in Oklahoma. The Lane-Sells policy stopped abruptly when Charles H. Burke became Commissioner in 1921. Although Burke had some understanding of the realities of Indian affairs as a result of his service in Congress as chairman of the House Committee on Indian Affairs, he did not move far enough or fast enough to silence bitter critics of his administration. The Meriam Report of 1928, the policies of the Rhoads-Scattergood era, the Collier administration and the Indian Reorganization Act, all moved along the line of greater service, opportunity, and protection for the Indian.

This wave receded with the appointment of Dillon Myer as Commissioner in 1950. Gradually, Mr. Myer eliminated from the Bureau most of the top men who had been close to John Collier. Certainly there was a shift in policy. Since 1950 not one of the termination bills submitted by the Bureau includes a provision for federal incorporation as provided in the Indian Reorganization Act and as proposed by the Bureau in sample bills submitted in 1947. On the contrary, for any tribe organized under the IRA or the Oklahoma Indian Welfare Act, the Bureau's bills have called for revocation of tribal constitution and charter. The Bureau relies, of course, on the declaration of Congressional in-

tent expressed in House Concurrent Resolution 108 of the Eighty-third Congress. That resolution said that certain tribes and the Indians in certain States are to be "freed from Federal supervision and control." It also included general language to the effect that Indians should be subjected as rapidly as possible to the same laws and entitled to the same privileges and responsibilities as other American citizens. The Eighty-fourth Congress gave some indication that it was not too sure about the Myer-Emmons wave. The only termination bills passed were at the request of tribes which specifically asked for the legislation. Not a single termination bill opposed by the tribe affected was passed.

At the beginning of the Eighty-fifth Congress, Senator Murray of Montana, Chairman of the Senate Committee on Interior and Insular Affairs, introduced Senate Concurrent Resolution 3 (the same text he had introduced in the Eighty-fourth Congress as Senate Concurrent Resolution 85). Representative Lee Metcalf, also of Montana, introduced the same language in House Concurrent Resolution 155. If adopted, this resolution would restate Congressional policy, for it directs the Bureau of Indian Affairs to carry out a Point-Four program for Indians and specifies that this program shall be offered "without exacting termination of Federal protection of Indian property or of any other Indian rights as its price."

Until the Congress does act, it is not likely that the Bureau of Indian Affairs will change its present policies. It is distressing, but impossible to ignore the conclusion voiced by employees as they cluster in two's and three's in the long corridors of the Bureau in Washington. They talk about the present "liquidation program." Let us hope that they will be proved wrong.

# Termination of Federal Supervision: Disintegration and the American Indians

By OLIVER LA FARGE

**Abstract:** The problem of our Indian population is an old and continuing one. In this article the author outlines two alternative ways of dealing with it. One aims at quick and intensive attempts to break down the special status of Indians and integrate them into the mainstream of American life. These attempts are characterized as hasty, impatient, and often ill advised. The other alternative aims at maintaining Indian tribal integrity and special rights until such time as the Indians themselves are ready and willing to dispense with federal supervision and controls. The author pleads for the need to work calmly and thoughtfully toward a point where Indians are able to make a satisfactory adjustment to life in America without needing the prop of special status.—Ed.

FOR many years our Indians have been the subject of a continuing debate, an unusual one in that one side desires to exclude the Indians themselves from it—although in recent years this has ceased to be possible—and that both sides, whenever opportunity arises, will put their principles into effect by legislation or administrative action. The result has been a crazy quilt of conflicts, often producing confusion, sometimes disaster.

On one side, expressed or implicit, is the conviction that all Americans should be alike; that conformity to a somewhat imaginary American norm is the best thing for everyone; and that discrete communities having customs, legal rights, and restrictions not common to all Americans must be dissolved as rapidly as possible. In its starkest form, the argument is that Indians must be "assimilated" or "integrated" whether they like it or not and that nothing will speed up integration faster than to disintegrate their native communities. This thinking is usually reinforced by im-

patience with a large federal bureaucracy dealing with Indian affairs, which in 175 years has failed to integrate the Indians. The simple conclusion is that the Bureau of Indian Affairs' failure can best be solved by dissolving the Bureau.

On the other side is the belief that, since we have deprived the Indians of the excellent opportunity for life, liberty, and the pursuit of happiness that they enjoyed before the Europeans came, we cannot, as Americans, rest content until we have restored that opportunity to them at least to the degree that other citizens have it. Further, we have more specific obligations to them derived from the very fact of our having conquered them. Proponents of this view above all oppose haste and unilateral action from above, either of which can destroy human beings, and insist on the inherent right of Indians, as of all Americans, to be different and to group themselves as they prefer.

As to special Indian rights, since being Indian is hereditary, the rights at

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first glance seem anomalous in a democracy; when we study them, however, the anomaly fades. They are part of a quid pro quo promised solemnly by us, in treaties, agreements, and laws and upheld over and again by our courts, in exchange for the whole area of the United States and for the ending of rightful independence by what Chief Justice Marshall called "irresistible power."<sup>1</sup>

#### INDIAN STATUS

Indian special status consists mainly in the ownership of land—reservations and grants—and income therefrom held in trust for them and tax exempt. As in all trusts, the beneficiary is restricted in the use and disposal of the estate. Part and parcel of this ownership, and deriving from the original, lost, sovereignty, is home rule and exemption from state law within "Indian country." Secondary in origin but essential to our basic obligation is federal responsibility for what are usually local services such as education and health. That we have rendered these services stingily and stupidly is irrelevant. States, counties, and municipalities avowedly cannot administer them nor are their standard services suited to the needs of Indians striving, not for identity, but for equality.

Part of the argument against disintegration is that Indian special needs must be met until they have been eliminated and that elimination can be achieved through patience, respect for human rights and aspirations, and co-operation with the people concerned; not through authoritarian action upon those people. Indian status and the integrity of their groups are not only rights, but essential means of progress.

Those holding the opposing view claim that Indian status segregates them. Indians are dark-skinned. In

many parts of the United States they encounter in varying degrees the discrimination and segregation we apply to all dark-skinned people. It occurs even in Salt Lake City, center of Mormonism with its special doctrine concerning the origin of Indians. Given communities of their own within territories that they govern, Indians will tend to withdraw into them. Most people in this world also like to live in their homelands, near their kin, and among those who share their ways. The argument that Indian status segregates Indians could be extended indefinitely to almost any ownership of land plus home rule or self-government in the world.

Intermittently for some seventy-five years proponents of disintegration have applied their theories by various processes: ending tribal ownership of property and encouraging the breakup of solid blocks of Indian land into fragments accompanied by measures to weaken or destroy tribal governments, frustrate Indian leadership, and in the past either to cut young Indians off from their cultures and languages or to instill in them contempt for their elders and their tradition. The similarity of these procedures to those of communism is startling, and, as with Communists, we have enforced them for the people's "own good." We did not, however, make the subjects over into white men, mentally, morally, or physically; what we did was nearly to destroy the Indian economic base, reduce tens of thousands to landless beggary, and prepare the desolate mess that many now want to sweep under the rug by means of "termination."

One cannot "equalize" people by depriving them of their property and of the going communities of their own kind that are their source of strength. Trying to do so is deeply un-American. Shall we say of this Amish colony, this concentration of orthodox Jews, these

<sup>1</sup> *Worcester v. Georgia*, 6 Pet. 515, 519 (1832).

villages of Spanish-Americans that they must be broken up so that they will stop being different? Here, again, we see the basic principle of communism; yet these groups, unlike the Indians, are at home in our culture and of amply proven competence to deal with it.

#### INDIANS OF THE SOUTHWEST

It would be hard to find Indians more "different," more "Indian" than those living on tribal grants and reservations between the Grand Canyon and Santa Fe. Most of them still prefer their mother tongues, and the majority profess the native religions; sixteen of the eighteen New Mexico Pueblos are still governed by their ancient theocracies. Almost any student of Indian conditions will agree that, with all their problems, the present life of these Indians is happier, their economic status, although low, is better, and their future much clearer than they are for the more "advanced," partially disintegrated tribes.

Neighboring them is an unusual zone of non-Indian acceptance extending along the Rio Grande Valley from Taos to Albuquerque and including Los Alamos. Tribal Indians move freely about the zone to work and study, some settle in the towns, some commute. They are found in skilled and semiprofessional positions, and in businesses of their own. They and the communities are ready for intermingling without talk of "assimilation." As a result the Indians are no more segregated than is anyone having the choice of either living on the farm or going to the city.

This happy, positive example could be overbalanced by innumerable wretched, negative ones. Both serve to emphasize a principle that disintegrationists usually ignore—that if, in whatever way, Indians are to be urged to leave home, *both the communities that receive them and the Indians* must be ready for each other. This condition rarely exists.

#### "DISINTEGRATION"

Highly significant is the experience of officials of the relocation program of the Bureau of Indian Affairs under which Indians are helped to settle and find steady employment in a few large cities. The "primitive" Indians from the intact, unallotted reservations of the Southwest are internally secure. They are able to make the great, difficult adaptations that their new life requires; and they show good percentages of successful, permanent relocations. Indians from broken, allotted northern reservations occupied by relatively disintegrated tribes are insecure and in inward conflict. They have lived long cheek by jowl with whites, and it has not profited them. They lose jobs, they find adaptation difficult, and have high percentages of relocated people who have given up and gone home.<sup>2</sup>

It would be tiresome and superfluous to recite here all the unsuccessful experiences we have had in the past with programs for de-Indianizing Indians, dissolving their communities, or destroying their cultural heritage. None of our efforts in that direction have borne good fruit nor have they enabled us to accomplish the goal on which everyone agrees—to put the Indians on such a footing in health, education, understanding of our world and economic opportunity that they can make themselves happy lives without benefit of special status.

One of our howling errors is ignoring the fact that you cannot make a people over against their will and contrary to their aspirations. We all recognize this simple fact eagerly and emphasize it when it comes to Hungarians or Poles, but somehow we refuse to apply it to

<sup>2</sup> LaVerne Madigan, *The American Indian Relocation Program* (New York: Association on American Indian Affairs, 1956), table, p. 6 and p. 9.

American Indians. Rather fatuously, we expect Indians to have the same aspirations as all our other minorities, despite the fact that their history is obviously quite different. The disintegrationists manage to ignore entirely the extraordinary record of the Indians in retaining their communities and their existence as Indians in the face of what look like impossible pressures, sometimes extending over centuries.<sup>3</sup>

### *Termination*

"Termination" approaches disintegration from a new angle. Previous systems worked piecemeal but applied to a great number of tribes, as in the allotment system, which is still operating, or to all, as in systems of education designed to destroy a rising generation's tribal memories. Termination applies to one tribe at a time, but affects that tribe totally.

In theory, there is a kind of termination which those who believe in Indian progress through Indian integrity do not oppose; it is, in fact, the ultimate goal. This is the termination of Indian status of a tribe when its members have reached a point of competence at which they find that they will do better on their own, with full freedom to handle or dispose of their assets, than under established protections and restrictions. This situation requires, among other things, that the tribe has reached a state of social and political competence and the county and state within which it lives such a state of moral advancement that the tribe can be sure it will receive equal treatment in all matters, from law enforcement to service in restaurants. This appears to be the situation reached

<sup>3</sup> John Provinse and others, "Wenner-Gren Supper Conference: The American Indian in Transition," *American Anthropologist*, Vol. 56, no. 3 (June 1954), pp. 387-94.

Oliver La Farge, "Assimilation—the Indian View," *New Mexico Quarterly*, Vol. 26, no. 2 (Spring, 1956), pp. 5-15.

by the Wyandottes, Peorias, and Ottawas who were terminated at their own request by the Eighty-fourth Congress.

There is no reason why termination of this sort should be "bought" by sacrificing all rights. There is no reason why it should not be so devised as to facilitate, if the tribe desires, common ownership of property and continuing group existence through organization into a corporation or into a suitable, modern political unit. The method of such termination can only be worked out at leisure between the tribe, the federal government, and the state consulting as equals.

Termination legislation was first seriously introduced in the Eighty-third Congress, partly in accordance with House Joint Resolution 108 of the previous Congress, partly on individual initiatives. It led to a storm of protest from tribes all over the country that left no possible doubt of Indian opposition. This strength of Indian expression explains why disintegrationists want to exclude them from the debate.

Of the bills introduced under the Resolution, those to terminate the Flatheads, Turtle Mountain Chippewas, and Florida Seminoles were killed in committee. Opposition from the tribes concerned was strong and well presented; the states they lived in also opposed the bills; the legislation was obviously ill conceived. The Turtle Mountain Chippewas are strong contenders for the title of the most destitute Indians in the United States; the Florida Indians have only recently had universal schooling and retain a large group of members who speak no English. It is difficult to conceive on what basis these two tribes were ever marked for termination. Several other bills never received a hearing.

### SPECIAL CASES

There were a number of special cases. It is impossible here to discuss the curi-

ous act terminating the "mixed-blood" portion of the Utes of Utah. The situation among the Utes is and was confused (for instance, most "mixed-bloods" have no non-Indian blood). What is clear is that none of the Indians understood what they were agreeing to and that all concerned are now unhappy. Apparently, their consent was obtained more by persuasion than by explanation.

The Alabama and Coushatta of Texas were also partially terminated, but at their own request. The state took their reservation in trust and assumed certain other responsibilities; a few items of federal Indian status will be retained. This was the only termination proposal in the big drive that came near meeting the conditions laid down above.

Another bill proposed termination for five bands of Paiutes and Shoshones in Utah. The Department of the Interior testified that these bands were ready for termination and desired it, although it admitted that over 10 per cent were illiterate and that all but a few lived entirely or partially on relief and straight charity. The record of testimony gives a feeling of haste and one-sidedness. When private agencies got in touch with the bands, the official testimony as to their desires proved incorrect. Two groups, comprising a majority, lodged protests strong enough to get themselves eliminated from the termination list. Another tribe was too late and its members are included among the 232 persons who are now becoming competent non-Indians by act of Congress.

A Department of the Interior argument, used here and in relation to other proposed terminations, was that the groups should be terminated because they were almost totally neglected. In full context this seems to mean that since local Indian service personnel are withdrawn to a distant, central agency on grounds of economy, the outlying

Indians are then neglected and accordingly should be terminated.

#### TERMINATION ACTS

The two most important termination acts, both deriving from the Resolution cited, affected the Klamaths of Oregon and the Menominees of Wisconsin, progressive tribes who, it happens, possess very valuable timber. The bills contained no adequate provisions for handling tribal property, required the rapid ending of tribal organization, and set a short time limit of five years for a most complex transaction.

Both tribes expressed formal consent to the principle of some form of termination, but had no opportunity to pass upon the bills actually enacted. Both tribes were told that if they did not accept the principle, they could not have a distribution of moneys that belonged to them and without which their members would suffer hardship. When Klamath delegates in Washington still hung back, the then Secretary of the Interior followed the strange procedure of using Klamath tribal funds to bring on a tribesman, of no official status, to work for the bill.

The Menominees and Wisconsin are thoroughly unhappy about the Menominee act and are working for major amendments. Oregon feeling about the outcome of the Klamath act is so strong that the present Secretary of the Interior has asked amendments in the present Congress. The Klamath act encourages rapid selling of the tribes' fabulous timber and distribution of the proceeds, which leads Oregonians to prophesy a brief, wild spending spree by the Indians followed by the dumping on the state of a mass of paupers. There is also uneasiness about the blanket act terminating the western Oregon tribes.

About these bills, enacted or not,



there is an atmosphere of haste, of jamming through, of bad drafting, misrepresentation, and pressure. This in itself should make us suspect them. Suspicion grows stronger when we note other attempts by the administration to tie acceptance of termination to unrelated legislation desired by other tribes and the sudden presentation to some tribes of drafts of termination bills with limits of two months or less for discussion.

We begin to see that for practical purposes the present debate is not about "termination" as such, but about a par-

ticular kind of termination, something characterized by hasty impatience, to be applied to tribes who do not want it. Termination in itself got lost from the discussion. What termination should imply, the conditions that should be met in order to reach it, have been very briefly sketched in this article. We badly need a calm, unhasty consideration of the subject. The goal, the obstacles to be overcome, and the benefits to be brought to fellow citizens in overcoming them, should be a challenge every American would want to take up.

# Termination of Federal Supervision: The Removal of Restrictions Over Indian Property and Person

By ARTHUR V. WATKINS

**Abstract:** Thinking constructively of the Indian as a fellow American we are now seeking to assure him of equality in the enjoyment and responsibilities of our national citizenship. Congress has called for termination of federal supervision over him as soon as possible. The proposed solutions vary in method. Seeking to be factual and informative rather than argumentative, the author discusses recent Congressional and related actions with a view as to what these establish for the present and portend for the future.—Ed.

**V**IRTUALLY since the first decade of our national life the Indian, as tribesman and individual, was accorded a status apart. Now, however, we think constructively and affirmatively of the Indian as a fellow American. We seek to assure that in health, education, and welfare, in social, political, economic, and cultural opportunity, he or she stands as one with us in the enjoyment and responsibilities of our national citizenship. It is particularly gratifying to know that recent years of united effort, mutual planning, and Indian self-appraisal truly have begun to bear increasing fruit.

One facet of this over-all development concerns the freeing of the Indians from special federal restrictions on the property and the person of the tribes and their members. This is not a novel development, but a natural outgrowth of our relationship with the Indians. Congress is fully agreed upon its accomplishment. By unanimous vote in both the Senate and the House of Representatives termination of such special federal supervision has been called for as soon as possible. Of course, as with any such major social concern, methods vary in proposed solutions and emotions sometimes rise as to how the final goal

should best be reached. A clear understanding of principles and events is necessary. Here the author seeks more to be factual and informative rather than argumentative and dogmatic. This article is largely intended to note recent Congressional and related actions with a view as to what these portend for the future as well as establish for the present. After all, the matter of freeing the Indian from wardship status is not rightfully a subject to debate in academic fashion, with facts marshalled here and there to be maneuvered and counter-maneuvered in a vast battle of words and ideas. Much more I see this as an ideal or universal truth, to which all men subscribe, and concerning which they differ only in their opinion as to how the ideal may be attained and in what degree and during what period of time. In the course of this chapter, then, I shall be primarily concerned with the main object and the degree of understanding which has come to us regarding its attainability.

## THE SITUATION IN DECEMBER 1956

A little more than two years ago—June 17, 1954—President Dwight D. Eisenhower signed a bill approved by

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the Eighty-third Congress that signified a landmark in Indian legislative history. By this measure's terms an Indian tribe and its members, the Menominee of Wisconsin, were assured that after a brief transition period they would at last have full control of their own affairs and would possess all of the attributes of complete American citizenship. This was a most worthy moment in our history. We should all dwell upon its deep meaning. Considering the lengthy span of our Indian relationship, the recency of this event is significant. Obviously, such affirmative action for the great majority of Indians has just begun. Moreover, it should be noted that the foundations laid are solid.

Philosophically speaking, the Indian wardship problem brings up basically the questionable merit of treating the Indian of today as an Indian, rather than as a fellow American citizen. Now, doing away with restrictive federal supervision over Indians, as such, does *not* affect the retention of those cultural and racial qualities which people of Indian descent would wish to retain; many of us are proud of our ancestral heritage, but that does not nor should it alter our status as American citizens. The distinction between abolishment of wardship and abandonment of the Indian heritage is vitally important. I wish to emphasize this point, because a few well-intentioned private organizations repeatedly seek to influence Congress to keep the Indian in a restricted status by urging legislation to retain him as an Indian ward and as a member of a caste with social status apart from others, not basically as what he is—a fellow American citizen.

These organizations have presented some proposals to Congress impossible of accomplishment, but likely to produce argumentation and thus to protract debate beyond reasonable limits. In this

manner they apparently seek to justify a continued role as presumable spokesmen for Indian tribes. Likewise, it should be noted that in legislative considerations various other private organizations and serious-minded periodicals have been used as devices propagandizing viewpoints based upon assertions known to Congress to be contrary to the facts upon Indian conditions. Special interests are of course involved in other ways; thus commercial companies having specific reservation leases may be reluctant to see terminal programs proceed, feeling that their own economic interests may be jeopardized. And again, state co-operation in the assumption of responsibilities for their Indian citizens has not always been consistent. Historically, however, the Congress, although perhaps more or less ineffectively until recent years, has sought in the nineteenth and early twentieth centuries to free the Indian. A full study of Congressional actions will bear this out. Freedom for the Indian was the goal then; it is the goal now.

Unfortunately, the major and continuing Congressional movement toward full freedom was delayed for a time by the Indian Reorganization Act of 1934, the Wheeler-Howard Act. Amid the deep social concern of the depression years, Congress deviated from its accustomed policy under the concept of promoting the general Indian welfare. In the postdepression years Congress—realizing this change of policy—sought to return to the historic principles of much earlier decades. Indeed, one of the original authors of the Act was desirous of its repeal. We should recall, however, that war years soon followed in which Congress found itself engrossed in problems first of national defense and then of mutual security. As with many other major projects, action was thus delayed.

## INDIAN FREEDOM

In 1947 significant facts were emphasized regarding the advisability of furthering Indian freedom during hearings of the Senate Post Office and Civil Service Committee. The then Acting Commissioner of Indian Affairs, William Zimmerman, Jr., testified that about 40,000 Indians were then ready for immediate freedom from further special federal control. Statements made by the Acting Commissioner vividly recalled Congressional attention to the fact that specific groups of Indians were then regarded as prepared for on-the-spot freedom from their wardship status. Later the same Mr. Zimmerman became an officer of one of the private groups interested in Indian affairs. This testimony at the 1947 hearings served as an effective stimulus toward renewed consideration of an end of wardship.

In the light of this background, the actions of the ensuing Eighty-third and Eighty-fourth Congresses offer profitable example and experience. As this federal policy is better understood, tribal and individual Indian interest in abolishment of special federal controls will continue to increase. Meanwhile we must be ever mindful that in broad terms and in many ways decontrol has already advanced for all Indians by and large. These federal restraints over Indians have been removed through related Congressional measures dealing with health, education, social welfare, economics, and kindred fields, the end result of which is to regard the Indians as any other American citizens.

The Indian freedom program will not be accomplished immediately in the case of more large and complex situations, but for most tribes it can be numbered in a few years. Emotional and practical concerns dictate careful but measurable progress toward the goal of complete

freedom. Complicated realty and other property problems, the careful clarification and protection of rights, these at times serve to make the process of decontrol lengthy. Meanwhile the Congress, through increased appropriations, is stressing the education of Indian children. The Bureau of Indian Affairs is expanding its adult education and vocational rehabilitation programs to help Indians earn a livelihood and to assume their responsibilities as citizens without special federal services. By action of the Eighty-third Congress Indian health concerns, previously in the Bureau's care, have been transferred to the Public Health Service. Simultaneously through the Bureau's relocation program increasing thousands of energetic, healthy, skilled Indians compete successfully in our cities, bring their families into new modern homes, and thus in effect remove many conditions of their earlier wardship. Where financial burdens of transition from guardianship to normal citizenship appear evident for a tribe, consideration is given; thus the Eighty-third Congress in precedent-setting legislation provided assurance of aid for the Menominee. When all factors are considered, numerous chain-reaction situations are evident which tend to stimulate the desire for freedom even more conclusively.

We may admit the it-takes-time view, but we should not allow it to lull us into inaction. Freedom of action for the Indian as a full-fledged citizen—that is the continuing aim. Toward this end Congress and the Administration, state and local governments, Indian tribes and members, interested private agencies, and individual Americans as responsible citizens should all be united and work constantly. The legislatively set target dates for Indian freedom serve as significant spurs to accomplishment. Congress steadily continues to

inform itself, to seek out, delimit, and assist those Indians most able to profit immediately by freedom from special supervision, and it acts primarily to speed the day for all Indian tribes and members to be relieved of their wardship status. A basic purpose of Congress in setting up the Indian Claims Commission was to clear the way toward complete freedom of the Indians by assuring a final settlement of all obligations—real or purported—of the federal government to the Indian tribes and other groups.

This picture we must keep in mind when considering the steps that will be taken during the Eighty-fifth and succeeding Congresses and in understanding the setting in which the Eighty-third and Eighty-fourth Congresses acted to directly further the freedom program.

Let us now briefly consider the work of these two recent Congresses.

### *Freedom program in the 83d Congress*

In 1953 during the Eighty-third Congress the members of the Senate and the House unanimously endorsed a statement on Indian policy that has continued to be in its general terms the guiding course of Congress. This action taken in the first Session, designated as House Concurrent Resolution 108, should be carefully noted in full:

Whereas it is the policy of Congress, as rapidly as possible to make the Indians within the territorial limits of the United States subject to the same laws and entitled to the same privileges and responsibilities as are applicable to other citizens of the United States, to end their status as wards of the United States, and to grant them all of the rights and prerogatives pertaining to American citizenship; and

Whereas the Indians within the territorial limits of the United States should assume their full responsibilities as American citizens: Now therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is declared to be the sense of Congress that, at the earliest possible time, all of the Indian tribes and the individual members thereof located within the States of California, Florida, New York, and Texas, and all of the following-named Indian tribes and individual members thereof, should be freed from Federal supervision and control and from the disabilities and limitations specially applicable to Indians: The Flathead Tribe of Montana, the Klamath Tribe of Oregon, the Menominee Tribe of Wisconsin, the Potawatomi Tribe of Kansas and Nebraska, and those members of the Chippewa Tribe who are on the Turtle Mountain Reservation, North Dakota. It is further declared to be the sense of Congress that, upon the release of such tribes and individual members thereof from such disabilities and limitations, all offices of the Bureau of Indian Affairs in the States of California, Florida, New York, and Texas, and all other offices of the Bureau of Indian Affairs whose primary purpose was to serve any Indian tribe or individual Indian freed from Federal supervision should be abolished. It is further declared to be the sense of Congress that the Secretary of the Interior should examine all existing legislation dealing with such Indians and treaties between the Government of the United States and each such tribe, and report to Congress at the earliest practicable date, but not later than January 1, 1954, his recommendations for such legislation, as in his judgment, may be necessary to accomplish the purposes of this resolution.*

Thereafter there were bills introduced and hearings held in 1954 on twelve Indian groups totaling 1,715 printed pages. As a result Congress enacted legislation providing for release of federal supervision over the property and individual members of the Alabama and Coushatta Tribes of Texas, the Klamath of Oregon (Klamath and Modoc Tribes and the Yakooskin Band of Snakes), the Tribes of Western Oregon (Grand Ronde, Siletz), the Menominee Tribe of Wisconsin, and certain tribes in Utah (Shiv-

wits, Kanosh, Koosharem and Indian Peaks Bands of Paiutes; the mixed-blood Uintah and Ouray [Utes]). All of the above except the Utah Indians were specified in House Concurrent Resolution 108.

Approximately ten thousand Indians were thus set on the road to complete citizenship rights and responsibilities.

Hearings were also conducted but no conclusive legislation was adopted by the Eighty-third Congress regarding freedom from special supervision of the following: the Kansas and Nebraska Tribes (Sac and Fox, Iowa, Potawatomi, Kickapoo), the Makah of Washington, the Flathead of Montana (Salish and Kootenai), the Seminole of Florida, the Turtle Mountain Chippewa of South Dakota, the Indians of California, the Nevada Indians (Ruby Valley, Shoshone, Yerington Paiute, Battle Mountain, Carson, Las Vegas, Lovelock, Reno-Sparks and Yerington Colonies).

Completion of the Alabama-Coushatta program largely enabled the Bureau of Indian Affairs to wind up its activities in Texas, one of the goals expressed in the Resolution. Even before its adoption the Bureau had virtually concluded its activities in another state mentioned in the Resolution, that of New York.

#### *Freedom program and the 84th Congress*

During the Eighty-fourth Congress legislation resulted in approval of releasing federal control over the property and individual members of three tribes in Oklahoma—the Peoria, Ottawa, and Wyandotte. Each of these tribes voluntarily adopted a resolution requesting the introduction and enactment of terminal legislation.

Through action of the Eighty-fourth Congress the Council of the Confederate Tribes at Colville, Washington, will submit within five years to the Secretary of the Interior a proposed plan

providing for their decontrol. The Congress likewise adopted a special decontrol deadline in the case of the mixed-blood members of the Uintah and Ouray (Utes) in Utah. This provided a seven-year period or until fall, 1961, for completion of terminal proposals.

Secluded reservation life is a deterrent to the Indian, keeping him apart in ways far beyond the purely geographic. By way of preparation for future decontrol programs, the Eighty-fourth Congress also passed the Vocational Rehabilitation Act to assist Indians to adapt themselves more readily to off-reservation life. Self-reliance is basic to the whole Indian-freedom program. Through our national historic development the Indian was forced into a dependent position with the federal government more and more, as America advanced westward, tending to sublimate his natural qualities of self-reliance, courage, discipline, resourcefulness, confidence, and faith in the future. Congress has realized this, and has steadily acted more positively to restore to the Indian these qualities. But self-reliance demands opportunity to grow. The Indian must be given the conditions under which—and only under which—self-reliance can be wholeheartedly regenerated.

#### DECONTROL ACTIONS PRECEDENT TO THE 83D AND 84TH CONGRESSES

To further clarify understanding, certain actions taken earlier than these two Congresses should be noted. Long before the Eighty-third, of course, the matter of releasing Indians from federal controls had been an important concern for Congressional and Administration study and action.

During the early years of the century so-called "competency commissions" were intended to provide a means of determining the qualifications of Indians to manage their affairs independ-

ently of Bureau of Indian Affairs supervision.

A decisive step forward was the granting of legal citizenship in 1924 by Congress to all American Indians born in this country not hitherto made citizens. This clear indication of Congressional decision pointed toward the ideal of Indian freedom and complete citizenship.

The role of the Bureau itself in preparing the Indian for self-reliant status was emphatically phrased by the Institute for Government Research, The Brookings Foundation, in its major 1928 publication, *The Problem of Indian Administration*, commonly known as the Meriam Report. It stated:

The fundamental requirement is that the task of the Indian Service be recognized as primarily educational, in the broadest sense of that word, and that it be made an efficient educational agency, devoting its main energies to the social and economic advancement of the Indians, so that they may be absorbed into the prevailing civilization or be fitted to live in the presence of that civilization at least in accordance with a minimum standard of health and decency. . . .

Soon thereafter—from 1929 to 1934—a broad survey was conducted by a Senate subcommittee relating to the principles upon which Indian administration should be furthered.

The Meriam report had recommended the transfer of services performed by the Bureau of Indian Affairs to other agencies, both public and quasi-public. This principle was observed in 1934 in the passage of the Johnson-O'Malley Act, which enabled the Bureau to transfer some of its previous services, particularly in the welfare and educational fields. By thus integrating the Indians into service channels open to the common citizenry the way toward freedom from special controls was fostered.

During the late 1940's when the matter of federal decontrol was considered

it was proposed in theory that an impartial scientific approach was the best means to handle the terminal program. Thus, for those tribes definitely showing the greatest degree of advancement in education and economic self-sufficiency it was proposed that federal control be withdrawn immediately. For others, a graduated scale of dates was proposed depending upon the rate of advance indicated. In 1947 the Bureau developed yardsticks and opinions on the relative degree of acculturation of various Indian tribes based on 1930 data. Since that time a continuing effort has been and is being made to refine similar data by tribes and other groups. Many of these data appeared in detail in House Report No. 2503, Second Session, Eighty-second Congress, and in House Report No. 2680 of the Eighty-third Congress. These reports and other survey work and recommendations were conducive to legislative action, particularly in the Eighty-third Congress.

By thus integrating the Indians into service channels open to the common citizenry the way toward freedom from special controls was fostered.

#### ADMINISTRATIVE DEVELOPMENT OF 83D CONGRESS LEGISLATION

Experience developed in carrying out the legislation adopted by the Eighty-third Congress for freedom from special federal control over Indians will be a valuable guide in continuing to develop further freedom-program bills. Generally, this experience has shown that other factors being equal, the smaller and rather well assimilated tribes or other groups, having relatively minor and cohesive property or other value interests easily adjustable to individual shares, appear the more likely subjects for prompt release from federal controls. And conversely, rather unassimilated and/or large groups with quite ma-

jor or intricate property or other value interests require more time, patience, and mutual understanding in moving toward eventual freedom from their federal wardship status.

For example, in a case such as that of the Alabama and Coushatta Tribes in Texas, involving about 400 Indians, relatively few problems were involved. All administrative action under the measure signed August 23, 1954, is complete. In fact, federal supervision ended as of July 1, 1955, and responsibility for 3,100 acres of tribal lands has been transferred to the state of Texas. These Indian people continue to be eligible for admission to hospitals and schools, maintained by the federal government for Indians, on the same terms applicable to other Indians. However, only seven found it necessary to call upon Public Health Service hospitals for medical needs. During the fiscal year 1956 five Alabama and Coushatta students continued or completed their courses in Bureau schools.

Decontrol also proceeded smoothly with the so-called Western Oregon Tribes, including some 2,100 Indians, and was complete August 13, 1956. Here more than sixty tribes, bands, and communities in northwest Oregon were concerned. After its final membership roll was completed the Grande Ronde Tribe decided to dispose of the bulk of its tribal lands and such sales were initiated. A practical property settlement on the Siletz reservation was quickly effected and a per-capita distribution of \$500,000—\$400,000 of it from the sale of tribal lands—was made to the Siletz.

In December 1956 completion of decontrol arrangements for the Paiute bands in Utah was very near, assuring an additional 232 Indians freedom from any special controls by the federal government.

A practical solution of the full- vs. mixed-blood status of certain tribesmen

was effectively worked out in Utah in the case of 1,804 Indians—Utes of the Uintah and Ouray reservation. The Congressional Act of August 27, 1954 provided for the division of tribal assets between the full bloods (the Ute Indian Tribe of the reservation) and the mixed bloods (the Affiliated Ute Citizens of the State of Utah). The final roll published April 5, 1956, determined a membership of 1,314 full-blood Indians and 490 mixed-blood persons. On the basis of this last roll a ratio for the division of tribal lands was then worked out between full and mixed bloods. The mixed bloods have now adopted a constitution and by-laws approved by the Bureau, and a budget for fiscal year 1957 made provision for a \$4,500 per-capita distribution of assets of the Affiliated Ute Citizens. Meanwhile the full bloods have drawn up a long-range development program for their own property.

In the case of the Klamath the government has shown its willingness to review the program as a result of administrative problems that arose in applying freedom legislation. As a result of statements from both Indians and non-Indians who felt that enforcement of the act of August 13, 1954, might prove injurious to the valuable Klamath forestlands, the Secretary of the Interior has agreed to review the act with a view to possible amendment should it seem desirable. The act does not call for complete decontrol before August 13, 1958. However, other events moved forward auspiciously for the 2,118 Indians concerned. A proposed final roll for the Klamaths has been published, and plans have been proceeding for a suggested division of the tribal property as well as for management of tribal-held assets. A detailed case history of each tribal member is being obtained, and a special advisory service is open to those wishing its assistance.



Although the Menominee was the first decontrol act adopted by the Eighty-third Congress, on June 17, 1954, this act affecting the largest such group to date—3,225 Indians living in Wisconsin—provides for the longest transition period of those enacted by the Eighty-third Congress. In many ways the most interesting of the decontrol projects to date, it also marks a fine example of state and local interest and co-operation.

During the first year of the Menominee transitional program four steps were taken: To prepare for a final membership roll and to arrange distribution of \$4,885,500 among members; to set up a state-federal special educational program and to reorganize tribal and agency commercial activities with Menominee controls greatly augmented.

An enlarged tribal organization has taken over many service functions formerly performed locally by the agency personnel. The greatly reduced agency staff is now largely devoted to advisory and trust-management activities. For the balance of the transitional period it will be a "learn-by-doing" process for the Menominees with counseling and general trust supervision as the Bureau's interim role.

#### ADMINISTRATIVE DEVELOPMENT OF 84TH CONGRESS LEGISLATION

Through their voluntary request more than 2,000 Indians in Oklahoma, members of the Peoria, Ottawa, and Wyandotte Tribes, were placed upon the road to final termination of special federal controls by the Eighty-fourth Congress. For each group a complete membership roll was to be prepared early in 1957, and it was expected that decontrol would be complete by August 1959 for each. No large administrative problems appear evident.

During October 1956 a delegation of the Confederated Tribe of the Colville, Washington reservation met with Bu-

reau officials in Washington to prepare a five-year decontrol program for 4,189 Indians. The Eighty-fourth Congress had provided that the tribe should submit proposed decontrol legislation by July 24, 1961.

#### VOLUNTARY INDIAN ACTIONS TOWARD FEDERAL DECONTROL

The Commissioner of Indian Affairs, Glenn L. Emmons, has noted that one of the most helpful and promising courses toward termination is by voluntary request of the Indian groups themselves. In an informal statement on January 31, 1956, at a House subcommittee hearing on appropriations Emmons remarked:

... In a number of areas, tribes have taken the initiative in exploring the means of programming their way toward eventual self-determination, that is, the Sisseton-Wahpeton Tribe in the Aberdeen (S. D.) area, the Makah and Colville Tribes in the State of Washington, several urban colonies in Nevada, the tribes in the Quapaw jurisdiction in eastern Oklahoma, . . .

... in order for projects to be meaningful to the tribal groups, they must be developed at the local level in consultation with the tribal groups affected, and there must be a continuous follow-through in the development and implementation of the program proposals.

On April 12, 1956, in a major memorandum to all of the Bureau area directors and superintendents, Commissioner Emmons again referred particularly to the value of voluntary Indian group action. He said in part:

A good program is one which results from the desires of and fits the needs of a particular group of Indians. In whole or in part the program should, if possible, be the work of the Indians themselves.

As to the question of legislation Emmons specifically noted that:

... In some cases, it may develop that special legislation will be necessary to forward a group's basic program. In other

cases the Indian group may feel that the group's cultural assimilation and integration into the community life about them has progressed to the point where they desire early congressional consideration of termination legislation. In either case, the Area Director should advise the Commissioner with a view to arranging for special guidance and assistance.

#### ROLE OF THE INDIAN CLAIMS COMMISSION IN DECONTROL

Completely within the historic policy of Congress in working toward the elimination of special controls over Indians is its concept of the role of the Indian Claims Commission. The Commission assures legal settlement of long-standing claims for redress against the federal government, which many Indians believe should be a necessary condition precedent to effective decontrol consideration. The Commission, set up in 1946, was then empowered to accept petitions until August 13, 1951 and was directed to conclude judgments on all claims by April 1957. Because of the large number of claims filed it had become necessary to extend the life of the Commission, and Congress—intent on providing judicial determination of all claims—passed legislation in 1956 to continue the Commission until the spring of 1962. However, the fact that all

claims are not settled does not forestall present decontrol planning.

#### ACTION OF SUCCEEDING CONGRESSES TOWARD DECONTROL

The basic principle enunciated so clearly and approved unanimously by the Senate and House in House Concurrent Resolution 108 of the Eighty-third Congress continues to be the over-all guiding policy of Congress in Indian affairs. In view of the historic policy of Congress favoring freedom for the Indians, we may well expect future Congresses to continue to indorse the principle that "as rapidly as possible" we should end the status of Indians as wards of the government and grant them all of the rights and prerogatives pertaining to American citizenship.

With the aim of "equality before the law" in mind our course should rightly be no other. Firm and constant consideration for those of Indian ancestry should lead us all to work diligently and carefully for the full realization of their national citizenship with all other Americans. Following in the footsteps of the Emancipation Proclamation of ninety-four years ago, I see the following words emblazoned in letters of fire above the heads of the Indians—*THESE PEOPLE SHALL BE FREE!*

# The Indian Claims Commission Act

By NANCY OESTREICH LURIE

**Abstract:** Awareness of the specific need for solving problems of jurisdiction and finance in Indian litigation, a growing feeling that Indian claims should receive more speedy and just attention, and administrative expedience combined to cause Congress to adopt the Indian Claims Commission Act in 1942 and to extend it ten years later to 1962. The author describes the types of claims that arise and discusses some of the issues involved with special reference to the role of expert testimony by anthropologists, whose views have been sought in order to clarify such matters as the identification of tribes and the original boundaries of their lands.—Ed.

THE Indian Claims Commission Act embodies a number of remarkable legal features as a reflection of problems that have arisen in dealings between the United States and the various Indian tribes. The actual prosecution of suits in accordance with the terms of the Act has led in turn to certain interpretations and procedural aspects of special interest to social scientists. The following discussion will consider these historical and recent phases in the development and application of the Indian Claims Commission Act.<sup>1</sup>

The Act, approved August 13, 1946, was to remain in effect for ten years;

<sup>1</sup> It must be noted that many of the claims discussed are still pending. Thus, my analyses, apart from specific points duly cited, are my own views based on personal observation, experience, and research as an expert witness and are not to be construed as the views of the Indian tribes or attorneys by whom I have been employed. While maintaining my personal responsibility for this article, I would like to thank the many colleagues whose stimulating discussions of a variety of Indian claims have suggested factual and theoretical insights. I would particularly like to thank Dr. Angie Debo who had begun research for this study and graciously forwarded her notes for my use.

all claims had to be filed within five years from the date of approval. Due to the large number of cases that had not yet been heard or adjudicated by 1956, the Act was extended in all its details until April 10, 1962.<sup>2</sup> The Commission is presided over by a chief commissioner and two associate commissioners; Indian petitioners are represented by private attorneys; and the United States is defended against Indian claims by attorneys of the Department of Justice. The Commission has promulgated rules of procedure, but the rules of evidence applicable are comparable to any federal court.

The Act creating the Indian Claims Commission is of relatively recent date, but the need for such legislation had long been recognized for a variety of reasons. Primary among these was the problem of defining jurisdiction in Indian litigation. Although the United States Court of Claims was established in 1855 to permit suit to be brought against the government, by 1863 tribal claims based on treaties were excluded from the general jurisdiction of the

<sup>2</sup> C. 949, 60 Stat. 1049; 25 U.S.C. 70; P.L. 767, Eighty-fourth Congress, Second Session.

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court.<sup>3</sup> Like foreign nations, it was necessary for each tribe to obtain a special jurisdictional act from Congress in order to present its case in the United States Court of Claims. This arrangement was discriminatory in that tribes differed in the amount of political influence they could command and in having effective legislative spokesmen for their cases. It was also an expensive and time-consuming procedure, since each claim required a virtual trial in Congress whereby cause for granting a special act might be demonstrated. If such an act were granted, the provisions allowed the tribe as a basis of suit were frequently construed in such a narrow way that it was difficult to obtain a full consideration of tribal grievances in the Court of Claims. The result was that a majority of petitions was dismissed by the court.

#### PROBLEMS OF JURISDICTION AND FINANCE IN LITIGATIONS

A tabulation covering the years 1881-1950 revealed that of 118 claims presented by Indian tribes before the Court of Claims, only thirty-four were allowed recovery.<sup>4</sup> Lawyers were understandably reluctant to represent Indian clients in light of the highly specialized na-

ture of the litigation and the small likelihood of recovery. Furthermore, many attorneys recognized that Indian grievances often arose out of concepts of a cultural and social nature not covered by customary interpretations of American law, but that these grievances deserved special recognition. For example, the *Winnebago* case, Docket No. M-421 in the Court of Claims, was begun in 1928 and finally dismissed in 1942. This time lag as well as the negative outcome was typical of a category of cases connected with the removal of tribes from one place to another.

The tribe claimed restitution on the basis that they had been removed from a reservation in Minnesota to one in South Dakota without their consent. The consequent hardships involving the death of many Winnebago by starvation and exposure forced the rest to flee from South Dakota if they hoped to survive. Ultimately, a majority of these Indians settled among the Omaha where their present reservation was granted to them. Their efforts to become acculturated in Minnesota had been interrupted, many of their older leaders had died in the removal, and their social and cultural life was disrupted and disorganized by the shift in reservations. Although the characterization of the government as "generous" in the final dismissal of the case may sound ironic, it was proper in legal terms. The Court of Claims measured cause for recovery in regard to comparable land values, and the last reservation in question was equal to the first reservation, if not exceeding it in value. The fact that the Winnebago for many years actually resided in the small timbered area of the reservation, being unable to utilize the agricultural lands placed at their disposal in Nebraska, was beyond the jurisdiction of the court. Likewise, the loss of the agricultural land through the machinations of vari-

<sup>3</sup> Act of March 3, 1863, 12 Stat. 765.

<sup>4</sup> "Tabulation Showing Highly Speculative Nature of Indian Tribal Suits," Court of Claims Nos. 45585, 46640, 47564, 47566; affidavit of Ernest L. Wilkinson Respecting in The Above Captioned Cases, pp. ii, appendix 2, 3. This information was compiled in connection with the celebrated claim of the Ute Indians of Colorado which resulted in a compromise judgment of just over \$31,000,000. It was the largest award ever made in an Indian claim and larger than the total of all other awards made in Indian claims in the Court of Claims. Despite these spectacular aspects, it was typical of Indian litigation in other respects. The attorneys' fees were set at less than 9 per cent of the final judgment, and the case covered eighteen years from the time contracts were signed until the final amount was settled (1932-1950).

ous white people could not be considered in the case. Situations of this nature illustrated that the real causes of Indian complaints were not being met in the Court of Claims.

Apart from the problem of jurisdiction was the matter of claims which were never pressed although they might have stood a good chance of recovery in the Court of Claims. These were the cases of tribes which had inadequate funds or no funds at all with which to prepare and prosecute their cases.

Along with the awareness of the specific need to solve the questions of jurisdiction and finance in Indian litigation, there gradually developed a public sentiment that justice was due the Indians which required attention. However, this component of conscience which led to the eventual passage of the Indian Claims Commission Act was underscored by two matters of administrative expediency. First, notwithstanding the discouraging statistics in regard to recovery in Indian claims, as Indians became increasingly cognizant of their rights before the law, Congress was petitioned with ever greater frequency for special jurisdictional acts. These cases exhibited certain common features that suggested the possibility of creating some general jurisdictional legislation, thereby saving time and money for both the government and the Indians.

Second, the unsettled claims were recognized as contributing to the difficulties attendant on the over-all administration of Indian affairs. As early as 1928 the situation was summarized succinctly in a special report dealing with Indian problems:

The benevolent desire of the United States government to educate and civilize the Indians cannot be realized with a tribe which has any considerable unsatisfied bona fide claim against the government. The expectation of large awards making all members of the tribe wealthy, the disturbing influ-

ence of outside agitators seeking personal emoluments, and the conviction in the Indian mind that justice is being denied, renders extremely difficult any cooperation between the government and its Indian wards. Besides these practical considerations, the simple canons of justice and morality demand that no Indian tribe should be denied the opportunity to present for adjustment before an appropriate tribunal the rights which the tribe claims under recognized principles of law and government.<sup>5</sup>

The insistence in the above report that legal steps of a judicial nature be taken points up another category of Indian claims besides those which could be dealt with in the Court of Claims if jurisdiction were granted by Congress. Cases in which Congress might grant direct relief will be given special consideration in the discussion of jurisdictional provisions in the Indian Claims Commission Act. It may be noted here, however, that such claims relied even more heavily on the caprice of Congress than did claims arising out of treaties.

#### FEATURES OF INDIAN CLAIMS COMMISSION ACT

As a result of the attempt to deal with the sundry issues raised in Indian litigation, the Indian Claims Commission Act contains several features unique in the history of American jurisprudence. It is important to study the Act in detail at this point since the interpretations and regularizations of procedure, which have grown out of the application of the law, are often mistaken for the law itself. Curiously, the general results of cases to date have tended toward a conservative interpretation of the substantive aspects. The procedure in the presentation of evidence and the evidence itself have taken a course that

<sup>5</sup> Lewis Meriam and Associates, *The Problem of Indian Administration* (Baltimore: Institute for Government Research, 1928), p. 805.

was not within the scope of prediction or expectation of those responsible for the Act.

Apparently, the feature dealt with most easily was the financing of Indian cases. Section 15 of the Act sets forth in detail the arrangements regarding legal representation. Special reference to fees for Indians' attorneys points up two unusual matters. Where tribes are unable to invest in any expenses of litigation, and this is the usual situation, cases may be conducted on an entirely contingent basis. This provision is at sharp variance with ordinary regulations of legal practice. An attorney taking a case of this type risks losing his entire investment. Furthermore, any attorney winning a judgment in favor of his clients may receive no more than 10 per cent of the net judgment, aside from actual expenses incurred in the prosecution of the case. It should be noted that claims which do not involve Indians may result in attorneys' fees covering as much as 25 to 50 per cent of the final award. Despite these stringent regulations, Indians have apparently experienced little difficulty in finding attorneys to take their cases. This may be attributed in part to the huge land areas involved—conceivably the entire United States and a large portion of Alaska—so that even 10 per cent of a judgment appeared to be a sizable sum worth an attorney's efforts.<sup>6</sup>

<sup>6</sup> Mention should also be made of those attorneys who for many years had been concerned about the discriminatory and complicated aspects involved in Indian claims cases. They greeted the Indian Claims Commission Act as a long needed legal measure and were ready to represent Indian clients under its provisions. No history of the Indian Claims Commission Act is complete without reference to the instrumental role of two attorneys. Ernest L. Wilkinson, as noted in note 4 above, was able to supply a full understanding of the difficulties to be overcome in dealing with Indian litigation, while the late Felix Cohen, Assistant Solicitor in the Department of the In-

Once cases began to be heard, the wording of the Act required interpretation, and, as a consequence, attention has centered on four primary problems. These are the identity of the petitioners, the grounds for suit, the presentation of specialized evidence, and the assessment of land values. The matter of evidence must be considered at the outset since it relates to the other problems. Section 13 (b) also of the Act states that the Commission shall establish an "Investigation Division" to search for evidence in the documents and records of the Court of Claims and the several government departments. Such information is to be submitted to the Commission and also to be made available to the Indians involved and to any interested federal agency. The division has never been established, presumably because it was not considered necessary, and funds were never allocated for this purpose. Section 13 (b) provides for the taking of depositions from aged Indians and other individuals having direct knowledge of claims to be presented.

However, it soon became obvious that evidence would consist of more than official documents or records and direct testimony of Indians or their neighbors. Such evidence required organization and interpretation by experts skilled in work of this type. Consequently, anthropological and historical analyses began to play an important part in claims litigation. Critical study of literature concerning given tribes was buttressed with ethnographic accounts. These offered more complete information and more accurate descriptions than the direct testimony of Indians taken according to the format of legal depositions. Archeological investigations provided information where documentary and ethnographic information was incomplete. Even the

terior at the time the Act was passed, concerned himself deeply with its provisions as a matter of federal duty.

assessment of land values required a background of historical understanding. Again, the Act makes no specific mention of anthropological or historical expertise, but the provisions of Section 18 regarding testimony and the Commission's rules of procedure are sufficiently broad to admit such testimony.<sup>7</sup>

#### ANTHROPOLOGICAL TESTIMONY

The Court of Claims had used anthropological testimony on only three occasions and no precedents in testimony had been established in this regard, so that the role of expert witness was a new one for archeologists, ethnologists, and ethnohistorians. When differing theoretical positions, analyses, and terminology began to loom significantly in the final outcome of the cases, anthropologists became upset and took little comfort from attorneys' assurances that even mathematicians and engineers differed in their expert testimony. Many anthropologists have suggested that the investigation division be activated and that it provide for the inclusion of testimony by anthropological consultants to deal with specialized information and interpretations. It has also been suggested that pretrial discussions be permitted between experts who felt that the differences in their testimony were more apparent than real and was due to the nature of questions put to them in a litigious situation. However, to date, standard legal procedure has been followed with both the Department of Justice and the Indians' attorneys examining their own experts and cross-examining their opponents' witnesses. The special problems usually considered by these witnesses then concern matters of

Indian identity and grounds for suit. Land values, which enter later into the proceedings, have been the special province of land assessors and historians and will be discussed in another connection.

Turning to the question of identity, Section 2 of the Act sets forth a description of the petitioners which is intended to include all likely claimants within the jurisdiction of the Commission: "any tribe, band, or other identifiable group of American Indians residing within the territorial limits of the United States or Alaska." Due to the reliance on anthropologists, these terms have given rise to unexpected semantic complications. One scholar's tribe is another scholar's band; some writers have used the terms synonymously; other anthropologists distinguish different types of tribes and bands depending on their historic origins. Thus, in the case of the Lower or Idaho Kootenai, the social identity of this populational entity was an initial point at issue. Docket 154 before the Indian Claims Commission describes the petitioner as the "Kootenai Tribe or Band of Indians of the State of Idaho," which is an admissible dual designation employed by attorneys to deal with the equivocal wording of the Act. Nevertheless, it was argued by the defense that perhaps the Idaho Kootenai had no right to bring a separate suit as a distinct social entity since the Kootenai in Docket 61 were already bringing suit in the claim of the "Confederated Salish and Kootenai Tribes of the Flathead Reservation, Montana." The similarity of names, and the fact that the area claimed was included in the treaty map which was the basis of the Montana tribes' claim, suggested that the Idaho Kootenai were but a geographic subdivision of a single Kootenai tribe. The Montana Kootenai recognized the separate tribal identity of the Idaho Kootenai and stipulated to that effect.

<sup>7</sup> Donald C. Gormley, "The Role of the Expert Witness," *Ethnohistory*, Vol. 2, No. 4 (1955), pp. 326-46, discusses expertise generally and with special reference to anthropological testimony in connection with the Indian Claims Commission Act.

Documentary evidence along with ethnographic information indicated that only the historic accident of linguistic similarity accounted for the designation of the two tribes as "Upper Kootenai" and "Lower Kootenai" in a largely Salish-speaking area. Earlier literature indicated that completely different names were used for each tribe. The Idaho Kootenai had not only been absent from the treaty negotiations of 1855, but for many years were unaware that their lands had been included within the cession boundaries. Although specific definitions of groups must thus be adduced in each case on the basis of distinctive customs, genealogies, locations and the like, the question of a general definition is repeated over and over by attorneys for the petitioners and for the defense: "Now, Doctor, how would *you* define the word tribe? . . . In your opinion, do the petitioner Indians conform to this definition?"

#### DEFINITIONS OF INDIAN SOCIAL ENTITIES

The phrase "identifiable group of American Indians" appeals to anthropologists as having general utility in distinguishing a cohesive and recognizable social entity whereby the varied and special connotations of tribe and band might be bypassed. Unfortunately, this term has also been construed in different ways. It may have an ethnological and historical basis like tribes or bands. It may also have a legal basis in terms of groups derived as treaty entities or in terms of "statutory groups" created by Congress for administrative expediency, such as "The Indians of California."

The problem of identity goes deeper than simply defining a society, but implies factors of time and socio-cultural continuity. It is necessary to establish the historic relationship of Indians bringing suit as the rightful heirs to

recovery for claims originating one or more generations in the past. In a majority of cases the claims refer to a period from which there are no living survivors. Section 2 provides that all defenses except laches and statutes of limitations may be used by the United States, so that the time covered between the origin of a claim and the hearing regarding it may be a century or longer.

The complications arising in these instances are many and varied. A frequent historic accident was the geographic separation of what was once a single tribe, holding a common territory, into several smaller groups. Such is the case of the Sac and Fox, Ioway, Potawatomi, Winnebago, and many others. Another common situation is that of several tribes who signed a joint treaty and were located on a single reservation. These tribes now have a general tribal council which does not represent the component tribes. Thus, their separate histories must be disentangled, as in the cases of the Confederated Salish and Kootenai tribes already mentioned, the Confederated tribes of the Colville reservation, the Three Affiliated Tribes of the Fort Berthold reservation, and others.<sup>8</sup>

<sup>8</sup> To the layman, the identity of petitioners' legal representatives becomes almost as complex as the identity of the petitioners themselves. According to section 10 of the Act, tribal organizations authorized by the Secretary of the Interior have the exclusive right to bring claims in behalf of their tribes. Where there is no such council, any member may bring a claim in behalf of his tribe. In some tribes different factions have retained different firms of attorneys who have had to make common cause in the Indians' interests. Sometimes a tribe has been divided into separate geographical enclaves, each having a council and its own attorneys who work together in bringing suit in a claim common to all of the branches of the tribes. Several firms may share the burden of preparing contingent cases with the understanding that all will share to an appropriate amount in any judgment which may be awarded.



On the Northwest coast another type of confusion may be seen in the fact that in the 1850's the treaty commissioners were directed to combine little tribes into big tribes and locate as many as possible on single reservations. The Quileute of the Olympic Peninsula offer an example of this situation. These people lived at the mouth of the Quileute River and in a few villages located further upstream. The question arose as to whether the various villages brought together on a single Quileute reservation represented separate little tribes which ought each to bring suit, or whether all formed an original tribe. There seemed to be little question, at least in the minds of the petitioner Indians and their attorneys, that all of the people on the Quileute River belonged to one tribe as indicated by genealogies and other cultural data. However, other villages located on the neighboring Hoh River also spoke Quileute and seemed to be part of the same tribe on the basis of kinship and common customs. They had been reluctant to move to the Quileute reservation and were eventually given a tiny reservation on the Hoh River. Since the claim embraced the watersheds of the Hoh and Quileute Rivers as one large tract, the identity of the petitioners was assured in Docket 155 with the complicated designation of: "The Quileute Tribe of Indians, on its own behalf, Quileute Tribe of Indians, on its own behalf and on behalf of the Hoh Tribe or Band of Indians; Hoh Tribe or Band of Indians, on the relation of and represented by Scott Fisher, on its own Behalf."

In other cases the attempt at consolidation of claims as a single tribe has been unsuccessful. A number of Chippewa brought a common suit as the Chippewa nation since they had been so designated in various treaties. When the claim, Docket No. 126, was first brought to the Court of Claims, the

Chippewa nation was directed to reduce the matter into the separate claims of the component bands of the Chippewa nation. Chippewa claims later heard by the Commission were likewise set forth on the basis of separate bands. The Commission took a similar view concerning the *Ottawa* Case, Docket No. 2, where the Ottawa were interpreted as comprising several bands notwithstanding treaty terminology concerning the Ottawa nation.

### CLAIMS CATEGORIES

Similar to the difficulties raised in the latitude of jurisdiction in the description of petitioners are those involved in the broad grounds for claims. The five categories of claims as set forth in Section 2 of the Indian Claims Commission Act will be discussed in the order given.

(1) Claims in law or equity arising under the Constitution, laws, treaties of the United States and Executive Orders of the President; (2) all other claims in law or equity, including those sounding in tort, with respect to which the claimant would be entitled to sue in a court of the United States if the United States was subject to suit; (3) claims which would result if the treaties, contracts, and agreements between the United States were revised on the ground of fraud, duress, unconscionable consideration, mutual or unilateral mistake, whether of law or fact, or any other ground cognizable by a court of equity; (4) claims arising from the taking by the United States, whether as a result of treaty of cession or otherwise, of lands owned or occupied by claimant without payment for such lands of compensation agreed to by the claimant; and (5) claims based on fair and honorable dealings that are not recognized by any existing rule of law or equity.

The first two clauses admit of easy interpretation according to ordinary legal tenets, but clauses three, four, and five bear special notice as being peculiar to Indian litigation and without precedent in American law. In regard to the third

clause, the Chief of the Indian Claims Section of the Department of Justice has noted:

Treaties between the United States and foreign nations have been freely construed by our courts, but never before has any court had any jurisdiction to "revise" a treaty. This has always been considered a political matter completely outside the scope of judicial inquiry. And technically this separation of powers has been preserved for you will notice that the Commission and the courts are not given authority to actually revise the treaty but only to grant relief "as if" the treaty were revised.<sup>9</sup>

Clause four was the subject of much legal debate until it was finally settled that the Indian Claims Commission has jurisdiction over claims based on "Indian title," that is, title derived from the simple use and occupancy of a given land. The Department of Justice made strenuous but unsuccessful efforts to eliminate such aboriginal title claims from the Indian Claims Commission Act when the Act was under consideration for amendment to extend its tenure for five years beyond 1957. The question was settled on the outcome of two important cases which will be discussed. However, the historical circumstances underlying the legal reasoning in these cases must be reviewed.

The terms "time immemorial" and "Indian title" figure so prominently in discussions of Indian claims that it is surprising to note that neither phrase occurs anywhere in the Indian Claims Commission Act. Nor do the terms imply, as is often erroneously assumed, that Indian tribes must establish their claims as aboriginal holdings since "time immemorial." However, the theory of

immemorial possession is fundamental to Indian claims to land in general since the United States' dealings with the Indians rested on precedents established by earlier governments such as those of France and England; and these governments recognized Indians as the original occupants of the American continent. France entered into various agreements with different tribes whereby French sovereignty was extended over Indian country, but it was understood that the Indians would remain in possession of the soil and retain its use as was their customary wont. England, being more interested in actual colonization, declared that land acquired from Indians should be paid for, although English sovereignty was already established in a territory as a replacement of Indian sovereignty or that of another European nation. The crown also reserved the right to enter into such purchases and denied private citizens the authority to buy land directly from the Indians.<sup>10</sup>

#### UNITED STATES TREATIES WITH INDIANS

The United States followed this reasoning in entering into treaties with Indians as if they were foreign nations. The Treaty of Greenville in 1795 is an outstanding early example in this connection, since the Indians had been soundly defeated and United States sovereignty extended over the Ohio Valley on the basis of conquest. Neverthe-

<sup>9</sup> Ralph Barney, "Legal Problems Peculiar to Indian Claims Litigation," *Ethnohistory*, Vol. 2, No. 4 (1955), p. 316. The total article, pp. 315-25, notes, among other matters, further instances in the difficulties of designating the petitioner Indians.

<sup>10</sup> "Important Western State Papers," *Collections of the State Historical Society of Wisconsin*, Vol. 11 (1888), pp. 26-63, reprints an interesting series of rare documents and cites others illustrating this sequence of French, English, and American philosophies of sovereignty in regard to the Old Northwest. In this connection, Section 12 of the Trade and Intercourse Act of 1802 (2 Stat. 139) also enunciates the doctrine that land negotiations with Indians must be made pursuant to the Constitution and are not the province of private citizens.

less, the tribes concerned were paid for the cession of territory east of the line designated in the treaty to separate white settlement from Indian lands.<sup>11</sup> However, in some instances land was simply appropriated by white settlers and the Indians dispersed without compensation before treaties could be negotiated. In other cases, Indians remained on certain land which was later secured to them by Acts of Congress or Executive Orders of the President. Finally, some lands were held under Indian title, that is, without special recognition and often for long periods of time. Usually this was done with the understanding that some official recognition would eventually be made. In the last category was the case of the Tee-Hit-Ton Indians of Alaska which raised many questions and a good deal of consternation among Indians' lawyers in terms of possible relationships to claims before the Commission. In 1951 these Indians filed a claim before the Court of Claims for compensation for timber taken by the United States. Recovery was not allowed, and the case was brought before the Supreme Court which

<sup>11</sup> The Northwest Ordinance of 1787, re-enacted and confirmed in 1789 (1 Stat. 50), underlay such provisions as are illustrated in the Treaty of Greenville:

"The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and in their property, rights and liberty they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall, from time to time, be made, for preventing wrongs being done to them, and for preserving peace and friendship with them."

These features were in effect extended to the Louisiana Territory in 1804 by an Act of Congress (2 Stat. 283).

The status of Indian tribes as nations was not only implied in the fact that treaties were negotiated with them but in the opinion of Chief Justice Marshall in 1823 in *Johnson v. McIntosh*, 8 Wheat, U.S. 543.

affirmed the negative decision of the Court of Claims.

The majority opinion, written by Mr. Justice Reed, begins with the observation that:

This is not a case that is connected with any phase of the policy of Congress, continued throughout our history, to extinguish Indian title through negotiation rather than by force, and to grant payments from the public purse to needy descendants of exploited Indians.

Indian title was then discussed in terms of sovereignty held over such land by the United States through conquest. It was decided that Indian title is merely the right of occupancy, not property, and places the government under no obligation to compensate Indians for such lands. This type of title is "unrecognized" in comparison to "recognized title" deriving from treaties or Acts of Congress; only recognized title would be compensable. Since the Tee-Hit-Ton Indians based their claims on the Fifth Amendment, the opinion concludes that in affirming the decision of the Court of Claims, "it leaves with Congress, where it belongs, the policy of Indian gratuities for the termination of Indian occupancy of Government-owned land rather than making compensation for its value a rigid constitutional principle." It was also stated in the opinion that Congress has power to take or use Indian title without compensation, but makes provision for tribes to recover for wrongs, "as a matter of grace, not because of legal liability."<sup>12</sup>

Taken as whole, the decision might have implied that all cases of Indian title would have to be recognized by Congress before being submitted to judicial processes. Applied to claims pend-

<sup>12</sup> *Tee-Hit-Ton Indians v. United States*, 348 U.S. 272, 273, 282, 291 (1955); the decision of the Court of Claims is reported in 128 Court of Claims 82 (1954).

ing before the Indian Claims Commission, it was questioned whether or not the decision might lead to exclusion of all cases of Indian title from the general jurisdiction of the Commission. A test was provided in 1953 when the *Otoe and Missouri* case, in which the Commission recognized the government liable under Indian title, was appealed to the Court of Claims.<sup>13</sup>

The Court of Claims sustained the decision of the Indian Claims Commission,<sup>14</sup> and the Supreme Court declined to review the case.<sup>15</sup> The phrase in clause four, "claims . . . as the result of treaty of cession or otherwise . . .," was finally clarified to include Indian title within the jurisdiction of the Commission. Congress, in passing a general jurisdictional act, had fulfilled provisions lacking in the *Tee-Hit-Ton* case which had reached the Supreme Court directly through the Court of Claims. The sigh of relief of Indian tribes and their attorneys was said to be audible for miles around.

#### JURISDICTIONAL PROVISIONS OF CLAUSE FIVE

The final jurisdictional clause concerning "fair and honorable dealings" has been the subject of much debate and has never been settled in the manner of Indian title. The government has argued consistently that it means moral claims and is not intended as an alternative method of securing relief in the event that a case is not proven under technical legal rules. However, in one case at least, the disparity between the price paid a claimant for lands and the then current market value of the lands was so great that the Commissioners entered a judgment for the difference on the basis of clause five. They stated that while there might not have been

sufficient basis for a claim on the grounds of unconscionable consideration, yet the evidence did demonstrate a lack of fair and honorable dealings with the Otoe and Missouri Indians on the part of the United States.<sup>16</sup>

Despite the broad jurisdictional provisions, especially in clause five, Indians' attorneys have found it expedient to base claims for restitution on tangible and measurable considerations. As a result, the majority of claims have centered in land to such an extent that the Commission is understandably, albeit erroneously, referred to as the "Indian Land Claims Commission." Although our courts have granted judgments for "mental anguish" and similar grounds, these have been individual claims and have thus apparently influenced the thinking of the Commissioners. One of the first claims decided by the Commission was that of the survivors of Geronimo's band of Apaches for unfair imprisonment, and it was dismissed as being based on individual claims whereas the jurisdiction of the Commission extends only to group or tribal claims.<sup>17</sup>

Nevertheless, within the framework of claims for land, the provisions of the Act allow inclusion of evidence which is peculiarly Indian in nature. As has been noted, the matter of treaty and nontreaty cases was finally settled, but further discussion is in order. Ostensibly, where the government outlined Indian holdings in treaties, the land in question would be more easily defined and accepted in any claim based on such treaty. Where no treaty was made, occupancy and use would have to be determined by historical and anthropological evidence. Actually, it is necessary to establish such use and occupancy whether or not boundaries were defined

<sup>13</sup> 2 Indian Claims Commission 335.

<sup>14</sup> 131 Court of Claims 593.

<sup>15</sup> 350 U.S. 848.

<sup>16</sup> *Otoe and Missouri Tribe v. United States*, 2 Indian Claims Commission, 335, 365 (1953).

<sup>17</sup> *Fort Sill Apaches v. United States*, 1 Indian Claims Commission 137 (1949).

by treaty. According to clause three, it is noted that claims may arise out of negotiations in which fraud, duress, and mutual or unilateral mistake may have played a part. When it is recalled that in many instances treaties were discussed through interpreters involving several Indian languages and perhaps French or Spanish, the possibility of misrepresentation or misunderstanding is apparent. Furthermore, Indian parties to given treaties were usually non-literate and dependent on their unlettered interpreters for understanding of the document they signed with an X. Both from the point of view of the Department of Justice and from that of the Indians' attorneys, it is desirable to review the circumstances regarding a claim at the time it originated.

It is in this respect that anthropological testimony has come into particular use and is the basis of some disagreement among various scholars. Indian tribes differed in their concepts of territory. Some groups have reliably clear-cut ideas about boundaries while others know only their customary habits which the ethnologist must collate and locate in terms of mapping village areas, hunting grounds, and the like. Concern over the problems of use and occupancy have resulted in several major discussions at professional gatherings of anthropologists wherein the points at issue have at least been clarified if not settled to everyone's satisfaction.<sup>18</sup>

<sup>18</sup> Cf. "Anthropology and Indian Claims Litigation: Papers Presented at A Symposium Held at Detroit, in December, 1954" [Annual Meeting of the American Anthropological Association], *Ethnohistory*, Vol. 2, No. 4 (1955), pp. 287-375; Robert A. Manners, "The Land Claims Cases: Anthropologists in Conflict," *Ethnohistory*, Vol. 3, No. 1 (1956), pp. 72-81; and Nancy Oestreich Lurie, "A Reply to 'The Land Claims Cases: Anthropologists in Conflict,'" *Ethnohistory*, Vol. 3, No. 3 (1956), pp. 256-79. Discussion of Indian claims held at the Central States Meeting of the American Anthropological Society held at Bloomington,

### TRIBAL BOUNDARIES

It is naturally to the interests of the Indians to claim as large an area as possible, whereas the Department of Justice is concerned with reducing or eliminating claims on the basis of evidence presented. Americanists have traditionally mapped tribal boundaries in terms of contiguous territories, and this concept has been generally accepted by Indians' attorneys with modifications of details of given lines suggested by more intensive study of specific tribes. The Department of Justice has questioned this approach insofar as different parts of a tribe's territory may have been used more intensively than others. This has given rise to a theory of land use and occupancy based on "nuclear areas" surrounded by vacuums of relatively little used and scarcely occupied land. A claim might be reduced significantly by this interpretation. As far as anthropologists are concerned, the question remains open whether the traditional techniques of tribal mapping are simply an established convention convenient for academic purposes, or whether such maps reflect the empirical conclusions of many independent researchers in regard to the proper designation of territoriality of human groups generally considered. This reassessment of tribal mapping suggests that neither system can be taken as *THE* theory of Indian use and occupancy, but that each case must be discussed in terms of the facts available.<sup>19</sup>

Indiana, in May 1955, as a follow-up of the Detroit Symposium is noted in the last two papers cited above.

<sup>19</sup> Cf. Verne F. Ray, [a review of] Harold E. Driver, *et al.*, "Indian Tribes of North America" (Indiana University *Publications in Anthropology and Linguistics: Memoir 9*, International Journal of Linguistics, Vol. 19, No. 3, Supplement, Baltimore, 1953), in *American Anthropologist*, Vol. 57, No. 1, Part I, February 1955, pp. 145-46; and Harold E. Driver

The Department of Justice has tended to emphasize intensive economic utilization of land as the basis of use and occupancy, whereas attorneys for Indians have included in evidence both expert testimony and documentary information regarding seasonal and noneconomic factors. Game and plant life, it is argued, had to be allowed to multiply to assure a regular supply of food. Thus, given areas might be intensively used only for brief seasons. Or, certain areas of limited economic activities might have tremendous social significance for a group so that the loss of a particular tract of land worked a real hardship in the established life of the people. Thus, the gathering of certain plant foods such as berries in the Plateau area might not have meant economic necessity, but did represent an important seasonal activity which helped underscore an identifying characteristic of tribes in the area. It was also pointed out that in the Plateau given lands were prized simply because they were isolated and not intensively used, except in connection with the vision quest. For a group to exist in its customary manner, it was necessary for men to seek visions which required lonely retreats. Many tribes had areas that were considered dangerous or sacred and were thus seldom visited. These areas, however, held an important value in the ethos of such groups and caused a sense of loss in their desecration by white occupancy or by removal of the Indians from a familiar terrain.

Whether an interpretation of "bread alone" is to be made, or whether the broad jurisdictional provisions allowing of extraordinary claims will be interpreted to include loss in a total way of life, as real as the loss of the land, remains the province of the Commissioners. However, a certain selectivity of

data in this regard is inevitable depending on which attorneys propound questions put to expert witnesses.

Various precedents have been adduced to insist that a claim must be based on exclusive use and occupancy by a particular tribe.<sup>20</sup> Generally, this would seem a reasonable demand. Temporary claims to disputed territories would lead to endless litigation, and, after all, the suits are brought against the United States, not between tribes. However, this circumstance has made attorneys reluctant to press any claims regarding shared lands. It is common knowledge among anthropologists that certain lands were known as neutral grounds, such as the immediate vicinity of given natural resources, or were areas reserved for intertribal games. Two or more tribes could conceivably hold an equity in such lands and derive a significant part of their sustenance or social identity therefrom. In other instances, the recognized owners of a given area permitted neighbors to visit and share in the local resources as occurred in the Celilo fisheries on the Columbia River. Sometimes, an apparent case of mutual land use cannot be taken at face value. The influence of such leaders as Tecumseh led to statements by Indians in treaty negotiations which are masterpieces of vagueness about tribal boundaries and an embarrassment to the speakers' descendants. The seeming obtuseness concerning boundaries or specific tribal areas was a ploy designed to hamper discussions that might lead to land cessions.<sup>21</sup>

<sup>20</sup> See United States *ex rel* Walapai Tribe v. Santa Fe Pacific Railroad Company, 314 U.S. 339.

<sup>21</sup> This is admittedly an interpretation with which the Commissioners may choose to disagree, but it has the virtue of being an independent conclusion reached by at least one other ethnologist who has reviewed the data on various tribes in the Great Lakes region—personal communication of Anthony C. Wal-

[a reply to Verne F. Ray] in *American Anthropologist*, Vol. 58, No. 1, February 1956, pp. 184-85.

The astonishing complications possible in regard to the location of given tribes are well illustrated in the case of the *Ioway, Sac and Fox, and Omaha*, Docket 138. On August 19, 1825, these tribes along with some Sioux and Otoes signed a treaty at Prairie du Chien whereby a designated area in northern Missouri and western Iowa, known as the "Trust Lands," was secured by the Ioway, Sac and Fox, and Omaha. It was understood that at some future date the government would enter into another treaty establishing lines between the tribes. Such a treaty was never effected, and the petitioner Indians claim that they were misinformed concerning the next treaty signed at Prairie du Chien on July 15, 1830. This was construed by the government as a treaty of cession, whereas the Indians believed that if they relinquished their common right to the land, the government would then designate the specific tribal areas within the "Trust Lands." Meanwhile, in the intervening five years, the three tribes began to work out their own areas of use and occupancy.

Documentary evidence was presented showing that the Indians divided lands in practice and did not wander over them haphazardly. The Indians' witness blocked out the tribal lands as had been done frequently in nontreaty cases. Thus, it was with some surprise that the expert found the propriety of his action challenged by the defense. The curious upshot was that other experts were then called in to testify to the good faith, scholarly conventionality, and academic correctness of the first expert's opinion.

#### INDIAN CLAIMS

The question of tribal replacements in given territories during historic times is exceedingly complex in such areas as the Ohio Valley-Great Lakes region. A

shift in locations was set in motion by the Iroquois wars of the seventeenth century, and further disturbance was produced when England and the United States contested for ownership of the country. This situation prompted the Department of Justice to finance a center for ethnohistorical study at Indiana University to do research in approximately 100 claims in the Great Lakes region.<sup>22</sup> Just how long a tribe had to be using and occupying an area exclusively before it was lost to the United States has never been determined precisely in making claims for restitution. Generally, however, the Commissioners have been interested in materials relating specifically to the time of origin of a claim rather than to the prehistoric past.

After a tribe has actually proven a case of use and occupancy, a second phase of historical analysis comes into play. The actual value of the land must be determined, and gratuities granted a tribe in the past must be assessed for possible offsets against the eventual judgment. A certain reluctance on the part of Indians' attorneys to discuss Indian claims in the public prints reflects anxiety over the possible size of the still undetermined figure of the total amount of Indian claims. It is believed that what public sympathy might be aroused in the interests of the Indians would be more than offset by the average taxpayer's fears about the drain on the public purse. These fears seem somewhat groundless on the basis of figures available through January 5, 1956. Of the 102 claims decided by the Commission by that date, the Indians have been allowed recovery in 21 cases. The amount of money has been reduced from at least \$890,000,000 claimed to

lace, University of Pennsylvania, Philadelphia, Pa.

<sup>22</sup> See *Bulletin* of the American Anthropological Association, Vol. 2, No. 1 (1954), p. 17 for announcement and description of the Center.

\$13,283,477.25 awarded.<sup>23</sup> This is a percentage of awards to claims of 1.5 per cent.

It should be noted that the early cases tended to be reduced to a striking degree since the size of claims was necessarily estimated somewhat provisionally. It was uncertain at the outset what sort of legal theory ought to underlie the attorneys' preparations, and thus, in some instances, a practice common in other types of claims was utilized. That is, an excessive amount was set forth with the tacit understanding that the attorneys for the petitioners and for the defense would engage in a sort of legal haggling and reduce it to about what the Indians' attorneys had hoped to obtain in the first place. As more anthropologists took part in these cases and became more sophisticated in the operations of the law, they realized that they could exercise some control over phases of the cases that antedated the period in which their services were requested. Consequently, where a witness feels that a petition does not conform to the facts as he knows them, the petition can be amended to form an accurate statement of the claim on the basis of available data. In other instances, claims may be enlarged as anthropological evidence indicates the propriety of such a course.

#### NUMBER OF CASES

It may be noted that many of the illustrations used in this article are merely reflections of the problems raised and the types of evidence used in Indian claims without reference to the final determination of the cases. This

<sup>23</sup> These figures are based on a compilation made by the Commission. Of the total of 102 claims decided, only 78 claimed specific amounts giving the total of \$890,000,000. No definite amount was claimed in the rest of the cases, but the Commission has advised that the amount claimed, as estimated, was between \$1,000,000,000 and \$1,200,000,000.

circumstance is related to the huge number of claims filed, approximately 852, and the necessarily slow process of dealing with them. Since so many cases are still pending, it is rather early to attempt any sort of general assessment of the Indian Claims Commission Act. Nevertheless, certain trends may be noted. First, these claims will simply not be settled when the Commission expires in 1962, even though all of the cases may be heard and adjudicated by the Commission. Cases can be, and generally are, appealed to the United States Court of Claims by either party. They can then be taken to the Supreme Court, or at least a petition may be filed for that Court to hear them. Thus far, the Supreme Court has declined to hear any such appeals. However, the frequent application to the Court of Claims alone offers a certain reasonable basis for the somewhat jocular estimates expressed by anthropologists that they look forward to twenty-five years of employment in Indian claims.

While the amount awarded may not come close to the amount claimed in Indian cases, there remains the possibility that some tribes will be put in possession of large amounts of money. No definite arrangements have been made for this eventuality, although carefully planned economic and social programs have been developed by tribes which have been awarded judgments in the past, such as the Menominee and the Ute. Concern has been expressed by both Indians and interested white people that the result may be similar to the unfortunate experiences of the famous "oil Indians." Even where awards are small, they might have enduring value if invested for tribal benefits rather than simply divided among the individual members of the group. However, the Indians are understandably concerned with personal payments, associating the management of their re-



sources with part of their general grievances against the government.

The chances are that even the tribes that actually win awards will not be completely satisfied. As far as some tribes are concerned, the idea that the Commission would settle Indian grievances once and for all has already fallen short of its goal. Although an occasional Indian will recognize an unfortunate and sometimes unwarranted tendency to self-pity on the part of his fellows, lost claims or unregulated recoveries may contribute further complications and grievances despite the benevolent intent of the Indian Claims Commission Act. It is useless, however, to argue that the Act should have never been put into effect. Obviously, the same process would take place, and with less satisfactory techniques and results, by the earlier means of Acts of Congress and recourse to the Court of Claims. Although the Indian Claims Commission Act contains revolutionary provisions in the light of American legal history, it remains a legal instrument and must be assessed as such. It cannot be expected to work as a cure-all

for Indian complaints of a socio-historical nature involving intangible factors beyond any possible legal interpretation.

Through the provisions of the Act itself, Indians were informed by their superintendents of the existence of the Commission and of their right to bring claims. This educational function might be extended to prepare programs for those Indians likely to receive awards. Where recoveries may be small or nothing will likely be gained from a claim, Indians should be informed of what the Act can do and cannot do, and why this is the case. Anyone familiar with Indians knows that these are not easy tasks to carry out since it was the generalized sense of Indian discontent itself that led to efforts to satisfy claims as a means of furthering effective administration of Indian affairs. Nevertheless, the cases are being settled slowly, and with the increasing economic sophistication of at least the younger Indians, there is yet time to develop policies to further implement the fundamental philosophy of the Indian Claims Commission Act.

# The Economic Basis of Indian Life

By WILLIAM H. KELLY \*

**Abstract:** Many Indians are solving their economic problems by turning to off-reservation wage work in industry and business. However, most Indians continue to live on reservations where, for a number of reasons, agricultural income must be supplemented with wages from seasonal and periodic off-reservation wage work. The result is an income for Indian families generally lower than among neighboring non-Indians, with some localities suffering severe economic depression. The Indian attachment to reservation life is strong and hinders the normal absorption of Indians into the general population. Federal assistance programs include both an effort to develop reservation resources and to encourage Indians to relocate in industrial centers.

**A**N Associated Press story, date lined Window Rock, Arizona, February 16, 1957, announced the payment of 33 million dollars to the Navaho Indians last November for the lease of oil lands on their reservation. Other tribes in Oklahoma, Montana, Wyoming, and elsewhere have received similar publicity in the past with respect to their income from mineral resources. During fiscal year 1955-56 the total payment to all Indian tribes in return for oil leases was 41 million dollars.<sup>1</sup>

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<sup>1</sup> Information not otherwise credited is from the files of the Bureau of Ethnic Research, University of Arizona, and was originally secured from reports and documents prepared by the Bureau of Indian Affairs, state departments of public welfare, state offices of employment, tribal councils, and similar offices.

However fortunate some tribes and individuals may be, the economic condition of American Indians in general has not been affected. The economic basis of Indian life is income from wage work, largely periodic and seasonal, which is used to support an uneconomic system of land ownership and land utilization. This is true even for the Navaho, presently enjoying the largest tribal income in the country, because oil income is not being paid per capita to the 80,000 tribesmen, but is being used for educational and resources development purposes.

Under ordinary circumstances, low income from a combined farming-wage work type of economic adjustment would not be a matter for special understanding when found among members of a folk society in a rural environment. Interest and concern for the Indians stem from the fact that they are not moving into the American economic system in the same way or on equal terms with other citizens, despite the fact that they represent the one minority group in this country whose economic and social well-

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being has been the special responsibility of, and partly subsidized by, the federal government.

In 1887, about 240,000 Indians held 138,000,000 acres of land as tribal property. A federal plan adopted at that time called for the allotment of small farms and ranches to individual Indians, the disposal of the remaining lands to non-Indians, and the protection of Indian allotments under a trust arrangement to be continued for twenty-five years; at which time the Indians would be free to use or dispose of their land as they wished. Looking ahead, the federal government expected the Indian land base to provide the economic springboard by means of which the Indian could enter the American economy at a satisfactory level. It was expected that most would hold, or even expand, their farm and ranch properties while others, following the example of non-Indians, would gradually break their reservation ties and become assimilated into the general population.

As is now known, insofar as most American Indian groups are concerned, this expectation violated the basic principles of the relation of cultural systems to economics. If left undisturbed the outcome would have produced poverty and excessive hardship, through the rapid liquidation of Indian holdings, for the great majority of Indians.

Actually many reservations, particularly in the Southwest, were not allotted. On other reservations the period of twenty-five years during which Indian land was to be held in trust has been extended. Other efforts designed to assist and protect the Indians culminated, in 1934, in a new policy, the Indian Reorganization Act. The IRA called for the creation of tribal self-government, formation of tribal corporations, control of tribal financial resources, protection and development of Indian land, and the education and training of Indians

for eventual participation in the American economic system.

The new policy was effective in putting a temporary halt to the alienation of Indian landholdings but, as administered, created a serious dilemma. It attempted to train Indians for life in a competitive individualistic off-reservation society, but it failed to establish an Indian economic system on the reservation which would evolve toward the economic practices and institutions of such a society.

No one knows whether such evolution of tribal economics would have been possible, or might still be possible, in view of the relative inflexibility of federal management and the Indian interpretation of their own situation. Over and above their recognition of the obvious, immediate advantages in continuing Indian land in trust status, such as tax exemption and special services, Indians have sought to maintain a degree of social isolation and have made Indian land a symbol of Indian independence and group security.

Unlike immigrants, Indians have typically viewed the United States as a land of deprivation, and not as the land of opportunity. The original recognition of tribal sovereignty by the federal government—parts of which carry over into present federal-Indian relations—the tradition of “unjust” conquest, plus other similar factors, have operated to produce Indian resistance to the loss of tribal identity. Indians have fought against the tribal “death sentence” implicit in the concept of the melting pot, and they have resisted efforts to bring about their assimilation.

This brings us back to the general statement above. Indians identify themselves with Indian land and, if they are landless, they identify themselves with the land of relatives or fellow tribesmen. They prefer to live on Indian land and to attempt to make a living from the

land, even though this means economic hardship. The inevitable answer, given the Indian interests and experience, is a low income from a combination of agriculture and wage work, with wage work usually secured off the reservation on a periodic or seasonal basis.

#### INDIAN FAMILY INCOME

Indian families must support themselves, the same as non-Indians. For the United States as a whole, the 1950 Census reported a median family income of \$983 for reservation Indians.<sup>2</sup> This figure does not include the value of income "in kind," such as food produced and consumed in the home (more than 10 per cent on some reservations), and free living quarters. Neither does it include the value of special economic advantages enjoyed by most Indians: freedom from property taxes and some income taxes, free medical care, free subsistence for children in boarding schools, and many free services found on some reservations such as water for livestock and domestic use.

The 1950 Census figure itself is probably low since enumerators, especially in the Indian case, could not be expected to secure knowledge of income from all sources. In any event, it is known that Indian income has risen, along with family incomes generally, during the past seven years. Recent estimates of income among Southwestern tribes suggest that those groups with extremely low incomes in 1949 have improved their position. The Navaho and Hopi are good examples. In both instances, the increased family income has come from new federal payrolls incident to a program of school, road, and similar construction on the reservation and to other wage work. In the Navaho case,

there has also been new sources of wage income from mineral and oil development on the reservation. In 1949 the median family income, as reported by the Census, was \$526 for the Navaho and \$389 for the Hopi.<sup>3</sup> In 1955 the Indian service calculation of the average family income among the Navaho was \$2,250, and among the Hopi, \$1,274, with some known sources of income among the Hopi not included.<sup>4</sup>

Other Southwestern tribes have had greatly increased incomes during recent years, but this has been due to per capita payments from tribal income derived from the settlement of claims cases and from oil and gas leases and bonuses. The Northern Ute on the Uintah and Ouray reservation in Utah, for example, had an average family income of \$4,400 in 1955 as opposed to a "normal" median family income of \$1,357 in 1949.<sup>5</sup>

Navaho family income is worth reporting in detail since it reveals an increased dependence upon off-reservation wage work. This dependence has marked the history of other reservation Indians when extreme isolation has broken down.

According to the above figures, Navaho family income from farming and stock raising, hitherto considered the principal source of Navaho income, is less than 12 per cent of the total. Since there is hardly a family on the reservation that does not have an interest in cattle or sheep, the Navaho reservation represents an extreme example of Indian dependence upon multiple sources of in-

<sup>3</sup> U. S. Bureau of the Census, *op. cit.* (note 2 *supra*), pp. 1, 5.

<sup>4</sup> Robert W. Young, *The Navajo Yearbook of Planning in Action*, Report No. V, Calendar Year 1955 (Window Rock, Ariz.: Navaho Agency, 1956), p. 64. Average income is based upon an estimated 16,000 Navaho families who had a total income of more than \$35,000,000. Hopi information is from Agency records on 644 families who had a total known income of over \$800,000.

<sup>5</sup> U. S. Bureau of the Census, *op. cit.* (note 2 *supra*), p. 5.

<sup>2</sup> U. S. Bureau of the Census, "Family Income of Reservation Indians by State Agency and Reservation." Mimeographed. (Washington, 1953), p. 1.

TABLE 1—ESTIMATED NAVAHO FAMILY INCOME, FISCAL YEAR 1955<sup>a</sup>

EMPLOYMENT	INCOME
Seasonal off-reservation agricultural employment.....	\$2,000,000
Nonagricultural off-reservation employment.....	3,311,680
Self-placed off-reservation employment.....	1,000,000
Railroad employment off reservation.....	8,005,317
Railroad unemployment compensation.....	2,668,439
Federal employment off reservation.....	2,618,394
Federal employment on reservation.....	3,476,307
Tribal enterprises employment on reservation.....	1,399,731
Farming and stock raising on reservation.....	4,000,000
Private industry employment on reservation.....	1,772,560
Public assistance and other welfare.....	2,335,185
Old age and survivors benefits.....	256,436
Miscellaneous.....	2,530,000
Total.....	\$35,374,049

<sup>a</sup> Young, *op. cit.* (note 4 *supra*), p. 65.

come, with Indian farming and stock raising representing the common single source. Some other percentages are: total wage income, 67 per cent; off-reservation wage income, 48 per cent; unearned income, 16 per cent.

#### Occupation groups

Figures on income are in keeping with information on Indian occupational groups. These figures show the heavy percentage of Indians in the United

TABLE 2—PERCENTAGES BY OCCUPATION OF EMPLOYED UNITED STATES INDIAN MALES AND OF ALL UNITED STATES MALES

MAJOR OCCUPATION GROUP	PER CENT OF INDIAN MALES <sup>a</sup>	PER CENT OF ALL MALES <sup>b</sup>
Professional, technical, and kindred workers.....	2.54	7.35
Farmers and farm managers.....	24.24	10.52
Managers, officials, and proprietors, except farm.....	1.96	10.66
Clerical, sales, and kindred workers.....	3.15	13.04
Craftsmen, foremen, and kindred workers.....	11.00	18.85
Operatives and kindred workers.....	13.09	20.32
Private household workers.....	.25	.18
Service workers, except private household.....	3.63	5.94
Farm laborers, unpaid family workers.....	8.26	1.53
Farm laborers, except unpaid and farm foremen.....	14.10	3.40
Laborers, except farm and mine.....	17.78	8.21
	100.00	100.00

<sup>a</sup> U. S. Bureau of the Census. *U. S. Census of Population: 1950. Vol. IV, Special Reports*, Part 3, Chapter B, "Nonwhite Population by Race." (Washington: Government Printing Office, 1953), p. 32.

<sup>b</sup> U. S. Bureau of the Census. *U. S. Census of Population: 1950. Vol. IV, Special Reports*, Part 1, Chapter B, "Occupational Characteristics." (Washington: Government Printing Office, 1956), pp. 15-22.

States in low income jobs and in types of work which permit periodic and seasonal employment. Information is from the 1950 Census which does not list multiple sources of income, but gives a single occupation determined by the source from which the principal income was received during the census week. Statistics for both groups are based upon civilian males fourteen years of age and older.

These figures illustrate and document the assertion that Indian earning power is concentrated in unskilled and semi-skilled work. Almost 65 per cent of the Indian labor force is found in farming, farm labor, and unskilled industrial labor, as opposed to only 24 per cent of non-Indian civilian workers.

#### CHARACTERISTICS OF THE LABOR FORCE <sup>6</sup>

Wage work, in contrast with profit-earning enterprises where the Indian must accept non-Indian patterns and values, represents an acceptable mode of economic adjustment for all Indians. Indian interests and attitudes, however, stand in their way when there is an opportunity to step up to permanent skilled or semiskilled employment. One reason for this is that Indian values do not lead the individual to consider work, in itself, as a virtue or as a source of personal prestige. Wage work, in their eyes, is a means to an end; and the few things that an unacculturated Indian might buy have sufficient attraction to move him to seek a higher income by way of year-round jobs which call for an unbroken sequence of work days. Life for Indian men in aboriginal times

was often strenuous and periodically intense, but seldom routine.

Even wealth, as a symbol of success and prestige, which is so common in our society as a motive for economic activity, is not important to most Indians outside the north Pacific coast—in an extreme case, among southern California and southern Arizona tribes, wealth was, until quite recently, entirely meaningless. Indian Service administrators have spent much time and effort in an attempt to induce Indians to improve the appearance of their homes and farms. Where this is more symbolic than functional the Indians have not been interested.

Not all Indians, however, who would elect to improve their economic position are able to do so. Most reservations are isolated from industrial and trading centers. In Arizona, 66 per cent of the Indian population lives in counties containing 3.4 per cent of the non-Indian population. Under such conditions, relatively few Indian boys and girls have had the opportunity to secure training in the kinds of jobs which so frequently prepare other young men and women for skilled and semiskilled types of employment. Added to this is the general lack of education, formal and informal, in the skills and social patterns associated with permanent off-reservation employment.

Perhaps the greatest present deficiency in Indian training for permanent employment is the small number of students who receive an adequate formal education. During 1955-56 only 13 per cent of Indian children in Indian Service schools were in high school as compared with more than 23 per cent for the United States as a whole.<sup>7</sup> Pres-

<sup>6</sup> Indian tribes are no longer culturally homogeneous and for this reason behavior is not predictable on the basis of a knowledge of aboriginal patterns. The generalizations in this paper, however, are felt to hold true for the majority of Indians, especially on the larger reservations.

<sup>7</sup> U. S. Department of the Interior, Bureau of Indian Affairs. *Statistics Concerning Indian Education, Fiscal Year 1956*. (Washington, 1956), p. 34. Figures on Indian students in public and mission schools are not available.

ent trends, however, indicate that there will be a considerable improvement in this situation in the next few years.

#### INADEQUATE RESERVATION RESOURCES

According to rough estimates by the Bureau of Indian Affairs, there are 20,534 "excess" families on Indian reservations.<sup>8</sup> This is based upon an estimate of the number of families who, under present conditions, could earn their entire income on the reservation at a level comparable to the income of their non-Indian neighbors. The reason for this "overpopulation" is, of course, the inadequacy of reservation resources and the absence of industrial and business establishments. Another reason lies in the failure to increase the productivity of developed resources to their fullest potential. This traces to Indian work habits and to their lack of training and experience. Other factors are the lack of adequate capital and credit, the uneconomic system of land ownership, special limitations on individual Indian holdings, and other aspects of federal programs and the federal-Indian trust relationship.

This complicated system of interdependent factors is an outgrowth of Indian practices and the peculiar economics of trust management. On tribal land, Indians, unlike non-Indians, hold undivided economic as well as social and political rights on their reservations. The tendency in administration, therefore, has been to maintain an even dis-

tribution of property, of federal economic help, and educational and social services among all Indians. A constant effort is made, as in agricultural extension work, to continue to attempt to help all Indians, including those who cannot be helped. On some reservations where stock is grazed on tribal land there are ordinances limiting individual holdings to the level of subsistence. On reservations where individual allotments are held in trust, Indians cannot bargain directly with each other; and the purchase of land from one Indian by another must be at an appraised value and approved by a federal official.

Under the assumption—which has come to have almost legal force—that all Indians are entitled to anything which any Indian receives, efforts to help the Indians who need and can benefit from economic help are obstructed. When, for example, new land is subjugated under an irrigation system, many of the Indians who are given land are Indians who have become successful off the reservation and return to take advantage of a better opportunity.

On most allotted reservations a great deal of Indian farm land lies idle or is used with minimum efficiency because of the existence of "fractionated heirship land," the most amazing example of economic obstruction found in the administration of Indian affairs. When Indian lands were allotted after 1887 it was expected that, at the end of twenty-five years, fee-simple titles would be issued and the matter of land ownership among the heirs of the original allottees could become subject to their own determination. However, when the twenty-five year period was extended, Indian heirs, except in the rare case of Indians who determined the disposition of their property by will, multiplied with each generation. With multiple ownership, and without a system for dictating land use and control among the heirs, eco-

<sup>8</sup> House of Representatives, Report With Respect to the House Resolution Authorizing the Committee on Interior and Insular Affairs to Conduct an Investigation of the Bureau of Indian Affairs Pursuant to House of Representatives 698, Eighty-second Congress, Second Session. Union Calendar No. 790, House Report No. 2503. (Washington: Government Printing Office, 1953), p. 110. Indian families referred to are "reservation" Indians. The count therefore includes Indians who supplement their income or earn their entire income from off-reservation employment.

conomic units became so fractionated as to be worthless except in some instances where land could be leased to a single operator and the income distributed among the heirs.

Allotted Indian trust lands, according to a 1952 tabulation, totaled 115,130 individual tracts; this included land in excess of 14,000,000 acres in twenty-one states and Alaska. By ownership status, these 115,130 tracts were held as follows: <sup>9</sup>

By living original allottee . . . .	43,537
By other single owner . . . . .	16,919
Jointly, 2 to 5 owners . . . . .	31,212
Jointly, 6 or more owners . . . .	23,462

As an example of what has happened over the country, an Indian who held a double allotment of twenty acres on the Gila River Reservation in Arizona died in 1926. By 1936, his estate had gone through eight probate actions. The direct and indirect heirship shares from this man's allotment amounted to seventy-three. These seventy-three heirs were found in two generations of descendants. The number has, by now, been augmented by the addition of another generation, perhaps two. In 1936, eight of the seventy-three heirs were entitled to a share of the original allotments reckoned at 87/573,300. This is a plot of land eleven feet square. The largest shares received by any of the heirs to this estate went to five direct descendants who each received 1/10 of the estate, or one irrigable acre each. Many attempts have been made to correct this situation through Congressional action but, to date, none have been successful.

#### TRIBAL INCOME AND EXPENDITURES

In spite of the allotment system, almost all reservations in the United States

contain some tribally owned land and on a few reservations, all land is communally owned. In many instances tribal land is assigned rent free to Indian families, but where valuable resources exist, particularly timber or minerals, they are developed by a tribal corporation or, more commonly, leased to non-Indians. In addition, many tribes operate reservation stores, farms, ranches, packing plants, motels, and other tribal enterprises and derive revenue, in the form of taxes or fees, from industrial and business enterprises when operated by non-Indians on tribal land. Not all tribal enterprises show a profit, and none are conducted within the pattern of American business because of the restrictions imposed by the federal trust responsibility. Another serious hindrance to the development of tribal enterprises as an avenue for training in the American economic system has been tribal council control. This has resulted, in many instances, in operations that are dictated by Indian values and tribal politics. Where attempts have been made to operate enterprises along business lines, the council has most frequently employed non-Indian managers who, under instructions to show a profit, cannot spend the time and money necessary to train Indian successors.

In some instances, tribal income is passed along to members in the form of per capita payments, but in most cases it is used by the tribe for the support of tribal government, welfare programs, and for range improvement and other forms of resources development.

There are no published statistics on tribal income and expenditures. Attention has already been called to the tribal income from oil and gas resources. Reservations with the largest income from oil and gas leases are the Navaho in Arizona, New Mexico, and Utah; Osage in Oklahoma; Jicarilla Apache in New Mexico; Ute Mountain and South-

<sup>9</sup> U. S. Department of the Interior. *Survey Report of the Bureau of Indian Affairs*. (Washington, January 6, 1954), p. 19.



ern Ute in Colorado; Fort Peck, Blackfeet, and Crow in Montana; Wind River in Wyoming; and the Uintah and Ouray in Utah. Revenue from this source has increased from \$13,000,000 in 1951 to \$28,000,000 in 1955, to \$41,000,000 in 1956.

The Navaho income from oil, even if some of the revenue were to be distributed in per capita payments, is not likely to produce individual wealth among a population of 80,000 tribesmen. The Navaho, unlike some other tribes, have so far elected to use their tribal income for purposes of education and of resources and industrial development which, as capital investments, are expected to pay greater returns to more people in the long run. A recently announced Navaho tribal budget for 1957-58 calls for five million dollars for a scholarship fund, three million dollars for water development, and smaller amounts for a number of reservation projects.

The uneven nature of income from tribal resources across the country is illustrated by the situation in the Southwest for the fiscal year 1956. The Hopi, Papago, and Salt River Pima have tribal incomes of less than \$10 per year per capita.<sup>10</sup> The Gila River Pima, Navaho (1955) and Taos Pueblo have incomes of less than \$50 per year per capita. Other incomes are: San Carlos Apache, \$103 (1955); Mescalero Apache, \$280; Uintah and Ouray, \$316; Southern Ute, \$660; and the Ute Mountain Ute, \$970. The last three tribes are distributing income from the settlement of a claims case.

#### ECONOMIC DEVELOPMENT PROGRAMS

The Bureau of Indian Affairs expects to spend \$87,737,500 for the benefit of

Indians in the United States and Alaska during the fiscal year 1957. More than \$50,000,000 will be spent for education and welfare services, including an off-reservation relocation program. The balance will be spent for resources development and management and for the construction of roads, irrigation works, schools, and the like. The Public Health Service expects to spend \$38,125,000, and an additional \$8,762,000 has been appropriated for construction of Indian health facilities.

These are by far the largest expenditures ever authorized for the social and economic benefit of Indians and, when added to tribal expenditures for the same purposes, indicate that a substantial effort is now being made to bring the Indian population to an equal footing with non-Indians in matters of education, health, communication facilities, and, on some reservations, land subjugation and development.

In resources development, however, including the establishment of industrial enterprises on or near Indian land, much remains to be done. Indian Service and tribal officials are now preparing long-range plans for such purposes under a directive issued by Glenn Emons, Commissioner of Indian Affairs. The National Congress of American Indians has declared as its primary objective for Indians the creation, with federal help, of an Indian "Point Four Program." The program is aimed at developing all of the resources on Indian reservations and in securing credit funds for Indians who wish to acquire training and equipment in order to become self-supporting in their home communities. In line with these objectives, the Eighty-fourth Congress passed Public Law 959 which authorizes the appropriation of \$3,500,000 each year for vocational training of adult Indians, and Senator William Langer of North Dakota has introduced a bill (Senate 809)

<sup>10</sup> Bureau of Ethnic Research files. The per capita income is an index of tribal economy and does not imply availability or distribution in the form of per capita payments.

in the first session of the Eighty-fifth Congress which calls for an appropriation of \$200,000,000 to be used as loan and grant funds for the development of industries on reservations.

In almost every Congress, during the past twenty years, bills have been introduced to consolidate Indian lands and to undo the damage created by the division of allotments among Indian heirs. An heirship lands bill (House of Representatives 2787), introduced in the first session of the Eighty-fifth Congress by Representative E. Y. Berry of South Dakota, provides for the exchange or sale of Indian trust land for the purpose of achieving a solution to the inheritance problem.

### *Relocation*

A greatly stepped-up relocation program for Indians is now being carried forward by the Bureau of Indian Affairs under an appropriation of \$3,472,000, which is three times the amount of funds spent for the same purpose in fiscal year 1956.

The program provides for employment and screening services on the reservations and for employment and social services at city centers in Chicago, Denver, Los Angeles, San Francisco, San Jose, and St. Louis. There is also provision for financial help, including transportation and moving costs, living expenses until earnings commence, and assistance in the purchase of homes and furniture.

According to official statistics, 12,625 individuals, including members of the families of relocatees, have been moved to the cities mentioned above since the beginning of the program in 1952.<sup>11</sup>

<sup>11</sup> For a comprehensive analysis of the relocation program, see La Verne Madigan, *The*

Compared with the number of Indians who are considered "excess" on reservations, this does not represent a substantial solution to the problem. On the other hand, in addition to the larger numbers who will be relocated this year under the program, the Bureau of Indian Affairs anticipates a "snowball" effect when the advantages of jobs in larger cities become known, and when there is a sufficient nucleus of employed Indians in the cities to attract other Indians who would otherwise hesitate to leave their reservation homes.

During recent years, Indian Service officials and tribal officers, working together, have been attempting to bring about the establishment of industrial plants on or near Indian reservations. During the past year a special office has been established in the Indian Service for this purpose. Also, during the past year, the Navaho Tribal Council has authorized the expenditure of \$600,000 of tribal money for the purpose of assisting industries which might decide to establish manufacturing facilities in the vicinity of the Navaho country.

These combined tribal and Indian Service programs are in recognition of the fact that reservations are overcrowded, that not all Indians desire to become farmers or ranchers, and that, wherever possible, industrial jobs for Indians should be provided near the source of Indian labor. According to the Indian Service, the program, still in its infancy, has been in part responsible for the establishment of new industries near the Navaho, Hualapai, Cherokee, Pima, and Papago reservations.

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*American Indian Relocation Program.* (New York: Association on American Indian Affairs, 1956).

# Patterns of Health and Disease Among the Navahos

By JOHN ADAIR, KURT DEUSCHLE, and WALSH McDERMOTT

**Abstract:** Community patterns of our Indian citizens range from ordinary American communities to ways of life more comparable with those seen in parts of Asia or South America. In each type the disease picture can be expected to be different and the ways of dealing with it must necessarily be somewhat different. The Navaho tribe is the largest Indian tribe, a group whose ways of life perhaps differ the most from the rest of the United States. The broad principles revealed in an analysis of Navaho health are applicable to other tribes, although the particular health situation of another tribe would depend on the circumstances of its tribal life.

IT has long been recognized that the particular pattern of a community determines in large measure the particular diseases to which it is most subject. The community patterns of the United States Indian citizens range all the way from communities essentially the same as the rest of the United States to ways of life more comparable with those seen in many parts of Asia or South America. In each of these different types of community the disease picture can be expected to be different and the ways of dealing with it must necessarily be somewhat different. It has seemed reasonable, therefore, in attempting the present discussion of Indian health problems, to select a single tribe for primary consideration. The tribe so selected—the Navaho—represents by far the largest single tribe and is a group whose ways of life perhaps differ the most from the rest of the United States. It is believed that the broad principles revealed in an analysis of Navaho health are equally applicable to the other tribes, but the particulars of the health situation of another tribe would depend on

the particular circumstances of the tribal life.

The Navaho Indians live in northern Arizona, New Mexico, and southern Utah on a reservation extending over 15,000,000 acres—an area as large as the state of West Virginia. In 1868, when the Navaho returned from their forced captivity at Fort Sumner in eastern New Mexico, it was estimated that the tribe numbered around 10,000. It has expanded very rapidly in the last century, and today the population exceeds 80,000.

Large as their reservation is, it is no longer able to support the tribe; severe erosion has denuded much of the land and thousands of Navahos have sought employment out of the area. They work as itinerant crop pickers, on the railroads all over the western states, and at other jobs, which for the most part require only unskilled labor.

The reservation is located on the southern edge of the Colorado Plateau at an altitude ranging from 4,500 feet to over 10,000 feet on the crest of the mountain range which roughly follows

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the New Mexico-Arizona border. The climate of this region, in contrast to that of the southern Arizona lowland desert, is temperate in the summer and cold in the winter, with a great range in the daily temperature the year around. There is little precipitation—from up to seven inches at the lower altitude to around twenty inches in a few mountain areas. However, during the last seven years the whole Southwest has been in severe drought and there has been only a fraction of even the customary small rainfall.

The Navaho are a Southern-Athabaskan-speaking people closely related linguistically, but not culturally, to the Apache and more remotely to the Northern Athabaskan tribes of Alaska and Canada. Centuries ago the ancestors of the Navaho and the Apache migrated southward and reached the northern limit of their present range by the sixteenth century, or earlier. The newcomers were hunters and gatherers; these occupations reflected a primitive way of life compared to that of the Pueblo Indians who already inhabited the more fertile regions of this plateau country. Even in the fourteenth century the Navahos were highly eclectic and adopted that which was to their advantage and rejected that for which they felt no need. They took over agriculture, pottery making, weaving, and other technologies from the town-dwelling Indians. But they rejected village living and the socioreligious structure of Pueblo society. The traits of Pueblo religion which they did borrow became modified to support a religion primarily concerned with curing practices rather than the fertility and rain making goal of Pueblo ritual.

All of Navaho history has been a succession of judicious borrowing from other peoples with whom they came in contact. During the subsequent centuries they took over the idea of using

horses, sheep, and cattle from the Spanish-speaking colonists in New Spain. As a result, their economic base shifted from primary dependence on agriculture to livestock raising and the raiding of settlements in the Southwest.

This history has a relevance to the present-day health picture, for the Navaho are still a changing people. Now, as earlier, they pick and choose what seems to "fit" with their way of life and pass up what does not. This process extends to their present-day attitude and behavior towards Western medicine, as well as to other aspects of twentieth-century civilization.

#### NAVAHO CULTURE

One of the remarkable features of Navaho life today is that the central core of Navaho culture, their religion, is still a vigorous and going concern. The Christian missionaries have not made the inroads they have made among Indian tribes in other parts of the United States.

The Navaho have also clung to certain other traditional ways; given their physical environment, these have proven very practical. For example, housing on most of the reservation is but a modification of the type of structure their ancestors brought with them from the North centuries ago. The hogan, a one room log house (in some places built of stone) remains hemispherical in shape with a mud floor. Cradleboards are still used by most mothers as a convenient way of carrying their babies and providing a secure place for sleep. Sheep and goats are still their most prized material possession. The pastoral economy has shaped the land settlement pattern, determined the course of daily life within the family, and provided credit for the families at the trading posts. Today many families possess only a small number of sheep and fewer goats. This stands in contrast to the

situation twenty years ago before the livestock reduction program was carried out by the Bureau of Indian Affairs in an attempt to conserve the markedly over-grazed and eroded land.

The Navahos have retained the use of their own language. Even in families in which both English and Navaho are spoken, the native tongue is apt to be the language of the home and the community and English is used only in talking with non-Navaho people. A high percentage of the adults have no working knowledge of English, either spoken or written. This has been a major problem in rendering a good medical service, because it forces the doctors and nurses to depend on interpreters for effective communication with their patients.

In 1945, 6,543 of the 20,435 school-age children were in school. In 1955 there were 24,560 and only about 8 per cent were receiving no schooling.<sup>1</sup> This stepping up of the elementary education will, of course, have a tremendous effect on the tribe and will speed up the acculturation process. In addition, at the present time 246 Navahos are in universities and colleges. This tremendous drive for education in "the white man's way" should bring about marked changes in medical attitudes as well as knowledge of good medical practice during the years to come.

The Navaho tribe consists of a series of matrilineal clans, some sixty in number. These are exogamous units which function primarily to regulate marriage because marriage within the clan is still considered incestuous. Residence is matrilocal—a husband goes to live with the family of his wife, but a separate household is established in a hogan not too distant from those of her mother and sisters.

<sup>1</sup> *Navaho Year Book of Planning in Action*, Report No. 4 (Window Rock, Ariz.: Bureau of Indian Affairs, U. S. Department of the Interior, 1955).

The place of the woman in the Navaho family is central and remains so among most Navaho families. She has property rights—the sheep are usually passed down through the female line—and she has a great deal to say not only about family affairs but those of the community. Because the women tend to be retiring in public the government administrators (and non-Indians generally) have tended to bypass them, and many programs have suffered as a result. To be sure, the Navaho women do sit at the back of the room at public meetings and the men do most of the talking. But ultimately many decisions in Navaho society are made in the household, and there the men feel the force of their wives' opinions.

The trading post and the local school form a focus for community activity. Here too may be a chapter house, the community meeting place where local affairs are discussed by the Navaho from the surrounding area—a radius reaching out fifty or more miles on all sides. There duly elected officers preside, but the importance of the chapter organization and the frequency of meetings vary greatly from one community to the next.

#### CHANGES IN NAVAHO WAY OF LIFE

The social organization, especially the structure of the family, is undergoing rapid change. On the edge of the reservation—where contacts with the outside are much more frequent—and in areas immediately surrounding such communities as Ganado, Tuba City, or Chinle (where there have been many years of contact with the "white" world through government or mission channels) the extended family is no longer the principal functioning unit. In these areas, more and more the life revolves around the biologic family. Dependence on and reciprocal relations with collateral relatives—those of differing generations:

cousins, aunts, and uncles—are not as important as they once were. This means that the parents of the Navaho child, as in our society, have the sole responsibility for the family care of the younger generation; this pattern differs from the extended family system that used to be universal to all of Navaho society. Then there were many parent substitutes. Today there are not. The men are working off the reservation and far from home much of the time.

This change in parental pattern is causing strains within the family which are indicated by the growth of child neglect. This has become a problem in some of these most acculturated areas—by a greater incidence of drinking alcohol, and by other symptoms that may have a significant correlation with rapid culture change.

Problems of this sort would be classified in our society as those related to tension affecting mental health. But the Navaho traditionally makes no concrete distinction between his mental and his bodily health. He knows that he is ill and seeks the help of either his medicine man or the doctor. As somatic health may reflect such tensions, it is possible that the increased demand for medical service at hospitals and clinics may be related to this rapid series of changes in Navaho technology, social organization, and behavior.

In addition to the scattered local chapter organizations, the only other formal political groupings are on the tribal level. There is an elected Tribal Council, and an over-all legislative body, which was established as recently as 1923. For many years it remained a "puppet government" in the eyes of many Navahos, established to rubber-stamp the actions of the Bureau of Indian Affairs. This was especially true during the last half of the 1930's and early 1940's, when the government was enforcing the livestock reduction pro-

gram with which this body became identified in the eyes of its constituency.

This Council did not come into its own until after World War II and since that time has made rapid strides—perhaps the most outstanding example of development in self-government among any Indian group within the United States.

There are seventy-four councilmen chosen by the Navahos from that number of voting districts on the reservation. The Chairman and the Vice Chairman of the Council are the presiding executive officers who are elected directly by the voters on the same secret ballot that is used in the case of the councilmen. Within the Council there is an Advisory Committee that meets once a month and proposes legislation, establishes tribal budget, and draws up the agenda for the quarterly meeting of the Council.

In recent years, as tribal responsibility for their own affairs has grown, a series of special committees from within the council has been established in such fields as law and order, administration, welfare, education, and health. The tribal health committee today takes an active part in meeting with United States Public Health Service, state and local health officers, as well as tuberculosis sanatorium administrators and physicians who advise them on the health needs of the Navaho people.

This rapid development in self-government has come about with the encouragement and the guidance of the Bureau of Indian Affairs administrators at Window Rock. The Navaho tribe has been fortunate in having a series of administrators who have placed first priority on encouraging the development of self-government, and who have worked very closely with the council on problems of tribal legislation, administration, and financial responsibility.

Today, unlike twenty years ago, there is a Navaho political structure that can help the federal government in its public health programing. The Tribal Council and the health committee, if present trends are projected into the future, will play an ever increasing role in designing an effective health service that meets the needs of their own people. There is still much to be done in the development of communications between the federal government (United States Public Health Service) and the tribe, but with time these may be expected to grow more effective.

#### HEALTH FACILITIES

The responsibility for providing medical services to the Navaho and the other United States Indian Tribes rested with the Bureau of Indian Affairs from its creation until July 1, 1955. On that date this responsibility was transferred to the United States Public Health Service as a result of congressional action.

In the decade from the close of World War II to the assumption of responsibility by the United States Public Health Service, the central hospital facility on the reservation consisted of a 115-bed general hospital and a 100-bed tuberculosis hospital at the "government town" of Fort Defiance, Arizona. In addition there were four 35-bed field hospitals situated respectively at Winslow and at Tuba City in Arizona, and at Shiprock and Crown Point in New Mexico. At Keams Canyon in the Hopi reservation (which lies within the Navaho reservation) there was another 35-bed hospital which in actuality served both tribes. In addition to these government hospitals there is the 88-bed general hospital of the Ganado Presbyterian Mission (Sage Memorial) approximately thirty-five miles from the government general hospital at Fort Defiance.

With two exceptions (Shiprock and Tuba City) these hospitals were of good

modern construction and were well equipped. The professional personnel varied from well-trained highly dedicated physicians and nurses to poorly trained indifferent misfits. Of far greater importance, however, was the fact that the full complement of staff was seldom if ever filled and the turnover was constantly high. Sometimes it was necessary to supply a different physician on a fortnightly or monthly basis to serve as the chief and sole physician at one of the field hospitals. The supply of physicians was improved in part by the "doctor draft" of the Korean War. For, under the draft, some young physicians could be commissioned in the United States Public Health Service and assigned to the Indian Medical Service of the Indian Bureau. Even with this additional "recruiting," however, the full complement of staff on the Navaho reservation was never filled. Some of these young men made the most of their opportunity and served their two years as perceptive, compassionate, and highly effective physicians. All too often, however, they were completely blind to the problems both of the government and the Navaho and rather quickly became embittered "time-servers."

This adequately equipped but chronically undermanned hospital system was connected together by roads which were frequently impassable. Indeed, a hard-surfaced road of entry was available only at Fort Defiance, Shiprock, and Winslow and the latter hospital was little used. As a consequence of the weather-induced impassability of the roads, a physician in his middle twenties might find himself marooned at one of the field hospitals, for example, Tuba City with a patient requiring some complicated surgical procedure far beyond his competence to perform. Even when the roads were not impassable, it was the common practice to transport such a seriously ill patient by ambulance over

a bumpy dirt road for the 160 miles from Tuba City to the Medical Center at Fort Defiance. Only in 1954 was an airplane type of patient transfer organized for emergency cases.

The frequently washed out roads in this semiarid land, played an even greater role in the usefulness of the hospital facilities to the sick Navaho. For example, in certain parts of the reservation, a patient with an acute pneumonia or meningitis might have to be carried as far as 100 miles by horse-drawn vehicle or pickup truck before he could be admitted to one of the field hospitals. The prospect of this journey together with the universal human tendency to try to "sweat out" a beginning illness at home led to many delays. Not infrequently such delays would result in deaths soon after hospital admission from diseases which can be easily controlled if they are treated promptly. A less critically ill patient might make a 50 or 100 mile trip to seek medical care and arrive at 6 P.M. on a Friday afternoon and receive word to report back on Monday.

Formidable barriers, both cultural and geographic, thus existed between twentieth-century Western medicine on the one hand, and the Navaho stricken with illness in his remote canyon, on the other hand.

The obvious answer to this problem—an adequate field health service—did not really exist. It was not possible to find enough nurses and physicians for the hospitals much less to find personnel for a field service. Nevertheless, there were always a few clinically frustrated but dedicated field health nurses who tried to maintain some sort of a program—which had to be principally localized to the young children in the schools. With these people—some government servants, some medical missionaries—it was possible to maintain a few field clinics serving a few small areas.

A field program for tuberculosis case finding was out of the question because as late as January 1952 there were an estimated 2,000 active cases of tuberculosis on the reservation, and there were exactly 100 beds which could be used for the care of tuberculosis patients.<sup>2</sup> As late as 1954, one of these Field Health Nurses had a district of 10,000 square miles with a population of approximately 10,000 persons.

This then is the situation as it existed in the decade immediately preceding the transfer of responsibility for Indian health to the United States Public Health Service. It is of the greatest importance to realize that no wicked man or collection of such men were responsible. On the contrary, the Indian Bureau officials on the Navaho reservation constantly labored long and hard to do what they could, but the sheer magnitude of the problem and its high degree of complexity required far greater resources than were ever made available.

Before considering what has happened in the less than two years that the Public Health Service program has been in operation, it is appropriate to review certain aspects of the Navaho culture from the standpoint of health.

#### NAVAHO CONCERN WITH HEALTH

The Navaho people are much concerned with their bodily health. In 1941 Drs. Alexander and Dorothea Leighton made a psycho-biological study of stresses and strains in Navaho life. They estimated from an analysis of their interviews with 6 per cent of a group of 600 Indians in the Ramah area, some 50 miles south of Gallup,

<sup>2</sup> In the fall of 1952, the Bureau of Indian Affairs was able to obtain the necessary funds to pay for the care of Navaho patients in tuberculosis sanatoriums located away from the reservation. Once this arrangement was set up, the lack of a case-finding program became the factors limiting adequate tuberculosis control.



N. M., that 60 per cent of the references "to overtly threatening events and situations" consisted of threats to bodily health including disease, accident, and injury. By contrast, only 21 per cent of the threats were concerned with subsistence.<sup>3</sup>

The Navaho conception of health is very different from ours. For him, health is symptomatic of a correct relationship between man and his environment: his supernatural "environment," the world around him, and his fellow man. Health is associated with good, blessing, and beauty—all that is positively valued in life. Illness, on the other hand, bears evidence that one has fallen out of this delicate balance; it is usually ascribed to the breaking of one of the taboos which guide the behavior of the Navahos, especially in the case of the conservative elders. Illness may also be due to contact with the ghosts of the dead, or even to the malevolence of another Navaho who has resorted to witchery.

In order to restore harmony with the environment, which results once evil is driven out from the body and good is restored, a *singer*, as he is known to the people in their own language, must perform an exactly prescribed ritual for the patient. Dr. Clyde Kluckhohn in his detailed study of religious behavior in the Ramah area estimated that in 1938 the Navaho men devoted from one-quarter to one-third of their time to such ceremonials, and the women only slightly less.<sup>4</sup> The Navaho does not make the distinction between religion and medicine that we do; for him, they are aspects of the same thing. This is

an important cultural fact that many workers in the health field have failed to realize; as a result, many doctors and nurses have antagonized their patients.

Virtually all Navaho religious behavior is oriented towards curing an individual. The patient, once he feels ill, consults with his immediate family and they call in a diagnostician who by various techniques (the most common method is by *motion-in-the-hand*, an involuntary trembling of the diviner's hand and arm) discovers the cause of the present illness. Possibly when the patient was a child carried in his mother's womb she had looked at a forbidden sand painting; or possibly the patient had come in contact with a lightning-struck object, and an evil that must be exorcised had entered his body; or perhaps he had eaten a taboo food which brought on the illness. Any one of these, or hundreds of other causes, might have brought about the present illness which is manifested by bodily pain or mental anguish. Then in order to bring back the patient to the correct balance with nature a particular *sing* is performed. Evil is driven out and beauty and health restored.

The individual who is sick does not act on his own. The family is likely to take the matter into its own hands once its members know that one of their number is sick. After the diagnostician has indicated the root of the illness he suggests what *sing* should be performed; the family then goes off for a *singer* who knows the required ceremony, and they arrange with him what the fee for the *sing* shall be. No ceremonies are performed free of charge—a payment is essential for the efficacy of treatment.

#### PSYCHOTHERAPEUTIC EFFECTS OF SINGS

Furthermore, the family is all present while the *sing* is in progress; it may last from one to nine nights, depending on

<sup>3</sup> Alexander and Dorothea Leighton, "Some Types of Uneasiness and Fear of a Navaho Community," *American Anthropologist*, Vol. 44 (1942), pp. 199-209.

<sup>4</sup> Clyde Kluckhohn, "Participation in Ceremonials in a Navaho Community," *American Anthropologist*, Vol. 40 (1938), pp. 359-69.

the nature of the illness for which the *sing* is given, the economic position of the family, and other factors. Relatives and friends come to the ceremony and take part in the chants and prayers directed by the medicine man and his assistant. By association they too receive positive benefits from the cure, and in turn the presence of the family and friends is assuring to the patient who feels they are all working to restore his health. Alexander and Dorothea Leighton have written of the psychotherapeutic effects of Navaho ceremonials:

All these people are gathered, their attention focused on the patient, bringing their influence and expectations to bear on his illness, their very presence implying that powerful forces are working for his well-being. The Singer, as the mouthpiece of the Holy Beings, speaks in their voice and tells the patient that all is well. In the height of the ceremonial the patient himself becomes one of the Beings, puts his feet in their moccasins, breathes in the strength of the sun. He comes into complete harmony with the infinite, and as such must, of course, be free of all ills and evils.<sup>5</sup>

There is no doubt that these curing ceremonies, in which the Navaho people have so much faith, have a psychotherapeutic effect on the "patient." There is also good evidence that the sweat bath sedative and the body massage that is used in some ceremonies may act as beneficial physiotherapy.<sup>6</sup> But while *sings* may be effective in curing disease of primarily a psychogenic order, such things have been less successful and often positively harmful in the treatment of contagious diseases, ap-

pendicitis, and gall bladder attacks. The Navaho who has an acute case of such a disease may be sung over for many days—often if one *sing* does not cure the patient, he is taken to another *singer* for treatment—by the time the family decides to take him to the doctor, it is frequently too late for the physician's treatment to be effective.

Until the recent past, it was not always appreciated by the health workers that the *singer* is a respected man in the Navaho community, and often a leader. He may know only a few of the shorter *sings* or he may be one of those who have learned one of the nine night ceremonies, in which case he has considerable status in Navaho society. These men were traditionally the "intellectuals" of the tribe; it takes many years to learn the required set of songs, procedures, myths, and sand paintings that must all be exactly controlled, otherwise the *sing* will not be effective.

Again, we must couch all of this in terms of the dynamic change that is affecting the culture of the Navaho people. Today, unlike in the old days, very few men are learning these *sings*. The economic life of the people has changed because of population growth, denudation of the land, and other factors. Present-day cash economy and the values of the dominant society "compete" with these Navaho religious values for the time of every individual who may have an interest in becoming a *singer*. There are no longer months on end to concentrate on such learning of ceremonials.

This does not mean that Navaho ceremonial life, and the religious values that go with it, will change overnight. But it probably does mean that the ceremonies will become briefer; less time consuming to learn, perform, and attend; and that many of the less valued *sings* will no longer be handed down. The *blessing-way* and certain other im-

<sup>5</sup> Alexander and Dorothea Leighton, *The Navaho Door* (Cambridge, Mass.: Harvard University Press, 1944), p. 36.

<sup>6</sup> Leland C. Wyman and Flora L. Bailey, "Two Examples of Navaho Physiotherapy," *American Anthropologist*, Vol. 46, No. 3 (1944), pp. 329-37.

portant ceremonials may very well last for generations to come.

What is the meaning of all of this for modern medicine? For one thing, as Navaho *singers* grow fewer in number, the laity will increasingly depend on the medical services that our physicians and eventually physicians among their own tribesmen, as they develop such a professional group in the years to come, have to offer. Because of their cultural "predisposition" which places such a high value on health, the Navaho may demand an availability of service on a level not deemed necessary by less health-conscious Indians in the Southwest.

#### HEALTH PROBLEMS AMONG THE NAVAHO

If one took into consideration only those physical factors which exist on the Navaho reservation, the disease pattern could be predicted whether it be a Navaho or a white population group. For example: the poor roads, and long distances from medical facilities being what they are, it follows that even a highly intelligent, well-educated non-Navaho would have his problems in this environment. The non-Navaho might come into a medical center with an advanced case of pneumonia or ruptured appendix or severely dehydrated from an acute diarrhea. The severe problems of transportation and delays mentioned previously might result in a more advanced state of disease regardless of whether the patient were Navaho or non-Navaho.

The fact that a Navaho might first seek attention from a medicine man and thus delay his treatment further might complicate the medical problem. Many of the Navahos have only meager health knowledge and are ill-informed as to the needs for early treatment in a clinic or hospital.

There is also the further problem of

the communication barrier due to the language difference. The medical history which the physician might obtain is distorted by an incompetent interpreter. This problem, of course, can be magnified in reverse if the interpreter cannot place into appropriate Navaho the English which is presented to him by the physician. The problem involved is not simply one of translation of words, but translation of the ideas and concepts of bodily health and disease which are expressed by the patient and by the physician.

The economy of the people must also be considered in summing up the various determinants of the pattern of disease on the Navaho. While it is true that the Navaho tribal organization has recently come into large sums of money through contracts for uranium, oil, gas, and lumber, the economy of the individual or family remains substandard, with the per capita income less than \$500.00 per year. Navaho housing, which is culturally valued, results in overcrowding and poor ventilation. Sanitary facilities and plumbing are not commonly available. Since water is scarce and must be hauled to the hogan long distances over bad roads, there is a major problem in personal and family sanitation. The problem is not that the water used for drinking or washing is contaminated—it is that there is so little of it.

In these crowded and unsanitary family surroundings, one would expect to have infections and communicable diseases as the outstanding medical problems; and indeed this is the case. It might be said that the disease pattern of the Navaho is comparable with that of the general United States population fifty to one hundred years ago.

What are the facts about the health status of the Navaho Indians? How reliable are the medical statistics which are available to the Bureau of Indian

TABLE 1—TEN LEADING CAUSES OF DEATH AMONG NAVAHOS AND COMPARATIVE U.S. GENERAL POPULATION RATES, 1954<sup>c</sup>

CAUSES	RATES PER 100,000 POPULATION		PER CENT OF TOTAL DEATHS	
	Navahos	U.S. General	Navahos	U.S. General
1. Pneumonia.....	123.5	23.7	16.2	2.6
2. Gastritis, Duodenitis, Enteritis, Colitis.....	110.2	5.3	14.5	0.6
3. Certain Diseases of early infancy....	102.3	39.4	13.4	4.3
4. Accidents—all.....	81.0	56.9	10.6	6.2
5. Tuberculosis—all forms.....	53.0	10.5	7.0	1.1
6. Heart Diseases.....	27.9	343.4	3.7	37.4
7. Malignant neoplasms.....	22.6	147.0	3.0	16.0
8. Nephritis and nephrosis.....	17.3	12.6	2.3	1.2
9. Congenital malformations.....	17.3	12.9	2.3	1.4
10. Vascular lesions affecting the central nervous system.....	14.6	103.6	1.9	11.3

<sup>c</sup> Prepared by Statistics and Analysis Section, USPHS, Albuquerque, New Mexico.

#### Affairs and the United States Public Health Service?

Obviously, the accuracy of health statistics is a direct reflection of adequate coverage among any particular population group. Despite the fact that tremendous progress has been made in increasing medical service among the Navaho people during recent years, there is still a tremendous lag between medical needs and medical service rendered. There are still many Navahos who, either of their own accord or because of the problems of getting to hospitals and clinics, are unable to have proper medical care. There is every reason to believe that deaths are occurring which are not recorded, particularly among the infants. Even if the deaths are recorded, however, the notation may not be reliable in terms of the specific cause of the disease.

Another factor which affects the health statistics is that the Navahos are not a record-conscious people. One must bear in mind that many are nonliterate and do not feel a need for keeping records. They feel no urgency about reporting a birth or death to the health personnel.

In a study on the completeness of birth registration records which was carried out by the statistical office in the United States Public Health Service several years ago, it was found that approximately 60 per cent of the births had been recorded; thus, 40 per cent were not officially registered. Statisticians working with the Navahos also became aware of the fact that there may not even be an accurate base-line census for the reservation. Considering all these difficulties it is possible that the Navaho morbidity and mortality statistical tables reflect only the accessible data and are not too precise an indication of the incidence of particular diseases.

Be that as it may, it is clear that all medical teams which have made a survey on the Navaho reservation, uniformly report that the Navahos have health standards far below those of the general United States population. It might be said that the health status of the Navahos is comparable with that of peoples in underdeveloped areas such as in the primitive regions of South America, Asia, or Africa. Certainly

their life expectancy figures and infant mortality figures are comparable.

The striking differences in the leading causes of death among the Navahos as compared with the general United States population are indicated in the preceding table.

#### HEALTH STATUS OF NAVAHOS AND OTHER AMERICANS

A popular method for comparing the health status of two population groups is the average life expectancy. The average life span of a Navaho is approximately 30 to 40 years, whereas the average United States citizen may expect to live 70 years.

The infant mortality rate (the number of infant deaths per 1,000 live births) is a more precise yardstick for measuring the health conditions of a population group. This figure also bears out the general view on Navaho health, for the infant mortality rate on the Navaho reservation is four times greater than the national rate. (The 1954 Navaho rate is 108.6, compared with the general United States rate of 26.6.)

J. Nixon Hadley, Statistician with the Division of Indian Health, United States Public Health Service, summarized the problem of evaluating the Navaho health situation in a recent report:<sup>7</sup>

Measurement of health conditions among the Navahos is hampered by lack of complete data either on the base population involved or on deaths and illnesses. Even with this lack of specificity, however, it is obvious that mortality and morbidity rates for most of the major diseases are far in excess of the rates for the total United States population.

<sup>7</sup> J. Nixon Hadley, "Health Conditions Among Navaho Indians," U. S. Public Health Reports, Vol. 70, No. 9 (Washington: U. S. Public Health Service, U. S. Department of Health, Education, and Welfare, September 1955), pp. 831-36.

More than any other major disease, tuberculosis is the expression of the socioeconomic conditions in a community. Indeed it has been authoritatively described as a disease of gross social mismanagement both on the individual and the community level.<sup>8</sup>

The extent of tuberculosis among the Navahos has never been fully determined for the total reservation population. However, reference to the vital statistics tables shows that the tuberculosis death rate among the Navahos is about five times that of the general population (53 as compared with 10.5 per 100,000). Mobile roentgenographic surveys that have been conducted in scattered communities on the reservation since the fall of 1952 have revealed active pulmonary tuberculosis ranging from 1 to 3 per cent of these population samples. On the basis of the sample mobile roentgenographic surveys, it would appear that there are probably two thousand or more cases of active pulmonary tuberculosis on the Navaho reservation.

The Navaho people have eagerly cooperated in accepting hospital treatment for tuberculosis even though they were required in most instances to go off the reservation for sanatorium care. (Approximately 500 of the 600 available beds for tuberculosis are situated 100 to 500 miles from the reservation.) With the advent, in 1952, of effective chemotherapy for tuberculosis and the inauguration of the expanded hospitalization program, the death rate from tuberculosis has fallen rapidly. It has been recognized that the Navaho tuberculosis patient will respond to appropriate medical and surgical management of his disease in the same fashion as the non-Navaho patient.

It can be expected that when effective

<sup>8</sup> R. J. Dubos and J. Dubos, *The White Plague: Tuberculosis, Man and Society* (Boston: Little, Brown and Company, 1952).

antituberculosis treatment is fully developed, including ambulatory care, it may be possible to control the tuberculosis problem at a level now observed in non-Navaho United States society.

There are a host of factors which can influence the extent of tuberculosis among a group of people; the roles of hygiene, sanitation, housing, nutrition, and other factors are related to the severity of the tuberculosis problem.

Another major health problem among the Navaho has been the high infant death rate from gastroenteritis and diarrhea. Diarrhea is ten times more frequent among the Navaho than in the general United States population. There is as yet no conclusive scientific study which has pointed up any common etiologic agent for all cases of the severe diarrhea of infants. However, most observers believe that the diarrheas are probably related to sanitation and hygiene. To date the most common bacterial agent found to account for the disease has been bacillary dysentery. It is often complicated by progressive dehydration which if not corrected may result in death. Because of the delay which frequently occurs in getting the patient to a medical facility, the infant arrives too late for the physician to initiate successful treatment.

With present-day medical technology, the diarrheas could easily be controlled. However, because of the factors determined by the environment and way of life of the people, diarrhea persists as a scourge among the Navahos and there is a predicable season of "summer complaint" as there was throughout all of our country many years ago.

Other major health problems which are seen on the Navaho reservation are respiratory illness, particularly pneumonias and influenza, conjunctivitis, trachoma, and chronic ear infections, and gall bladder disease.

There is yet too little known about

diseases of the heart and blood vessels, cancer, hypersensitivity (that is, allergic disorders), high blood pressure, arthritic, metabolic, and mental diseases among the Navaho. Much more study is required before a statement can be made regarding the relative incidence of any of these disorders.

#### IMPROVEMENT OF CROSS-CULTURAL MEDICAL SERVICE

What has been the approach of the United States Public Health Service during the approximately eighteen month period since it became responsible for Indian health? At the outset, let it be emphasized that the career officers in the Public Health Service who have responsibility for the policy of the Indian health program are fully aware of the difficulties of attempting to introduce Western twentieth-century technology across a cultural barrier. Moreover, as individual officers, they had been sent to conduct the Indian Bureau's health program during the last year of its operations. Consequently, when the official interagency transfer of responsibility occurred, the men in charge of the new program were quite aware of the formidable nature of the task.

The basic approach followed consisted of: (1) expanding within budgetary limits the on-going program with special emphasis toward organizing an adequate field (that is, nonhospital) health program in the two largest areas, Alaska, and on the Navaho; (2) a general survey, principally by nongovernmental experts, of the health situation and needs of our Indian peoples with appropriate reference to their socioeconomic status; arrangement with university groups to conduct pilot research or demonstration programs on selected aspects of the total program.

On the Navaho reservation, the pre-existing hospital program has already been considerably expanded. At Tuba

City, where an outmoded 35-bed hospital had been caring for most of the Western Navaho, a modern 125-bed hospital had just been completed by the Indian Bureau and was opened a few months before the actual transfer. It has been possible to staff this hospital with four physicians, one of whom is a fully accredited surgeon. The old hospital supposedly had two physicians but more often than not, it had only one. In addition at this hospital, there are four Public Health Nurses where only one was available before and there is a full-time dentist.

For the reservation as a whole, in 1954, the government medical staff numbered 343 and by 1955 this was already increased to 436. In addition to the new hospital (constructed by the Bureau of Indian Affairs) at Tuba City, a new 200-bed general hospital is being constructed at Gallup, New Mexico, the business "capital" of the Navaho reservation.

The principal evidences of the organization of a proper field health program to date are the increasing number of Public Health Nurses which totaled twenty-four by the end of 1955. Moreover, at all of the field hospitals there is now a physician whose major responsibility is with field health problems. Within the eighteen-month period it has not been possible to organize anything approaching a fully operating directed field program but a start has been made. Moreover, the construction of a number of strategically located Field Health Clinics are in various stages of development.

While the Public Health Service has been increasing the instrument for delivering more and better medical care to the Navahos, they have also enlisted the assistance of several university groups to perform both a research and to some extent a service program in health among the Navahos. The University of California Medical College is providing

consultation, guidance, and personnel in a health education program. Cornell University Medical College has been chosen to conduct a pilot project in field health. This project has been centered at Many Farms, Arizona located in the geographic center of the reservation. It is the purpose of this field study to attempt to define the proper concerns of a health program among a people such as the Navahos and to attempt to develop, and determine the practicability by actual trial, of methods for the delivery of such health services as are found to be required. It is believed that the results of this study of the cross-cultural delivery of medical services will be a continuous source of information for the expanded Public Health Service program among the Navahos. It is also hoped that the observations made there will have generality for the health programs with the other Indian tribes and in so-called underdeveloped areas outside the United States.

To sum up this aspect of the discussion: it can be said that the increased health activities among the Navahos which have been set up by the Public Health Service within the past eighteen months, represent a very considerable achievement. The problem is such a complex one, however, and has been neglected for so many decades that it will be some time before a reasonably acceptable program can be in full operation. Without question, one of the most immediate obstacles to a proper program is the necessity for constructing suitable housing for health personnel. For, in many of the areas in greatest need of medical services on the Navaho reservation, absolutely no housing exists for even one physician or nurse who might be recruited to deliver the badly needed services. Formidable difficulties exist in obtaining funds for the construction of such housing. This is particularly the case as the argument that "the Public Health Service should be

able to do the job less expensively" was frequently voiced by well meaning non-governmental advocates seeking to persuade the Congress to legislate the transfer.

In the writers' opinion it seems clear that if a better cross-cultural medical service is to be rendered, it is necessary to discover the needs of the community and family, as well as that of the individual patient. To do this it is necessary to free ourselves from many ethnocentric and institution-bound ideas and practices and turn our attention to gaining knowledge of the way of life of the people we wish to treat.

What are some of the questions which must be answered before a reasonably adequate health program can be delivered to, and accepted by, the Navaho.

How does the patient feel about our medical service and how, from his point of view, could it be improved to meet his needs?

What are the causes of resistance to modern medicine when such resistance occurs?

How can a medical program that includes sanitation and health education learn to work effectively through community structure and leadership?

What are the basic factors which hinder effective medical interpretation and how can these be eliminated?

How can doctors and nurse's aides be recruited from among the Navahos and trained so that they can bridge the language barrier to the community and hogan?

We must seek answers to questions such as these on the level of the family and community.

The judicious borrowing from other cultures which typifies so much of Navaho behavior—as seen in time perspective—is also at work in his changing attitudes and responses to our Western medicine. New alternatives to the cures of the *singers* have been introduced; and when the medicine man has

failed, the family of the patient seeks out the doctor to see what he can do. Or, as seen from the point of view of the medicine man:

When I see that I am not getting anywhere with one of my patients I suggest that he go see the white doctor. But I always caution him first to come back and finish the ceremony that has been interrupted, or he will get sick again.

Two forces are at work here: First, there is the strong belief that once a ceremony has been started it must be finished; and second, the *singer* and the unacculturated Navaho generally speaking—as well as many highly acculturated ones—believes that even though the white doctor can rid the body of pain and "drive out the germs," still he cannot set the individual back in harmony with his environment. Anxiety is likely to be present upon discharge from the hospital—as it is with ourselves, but for different reasons—and this often persists until a *sing* has been held.

Changing attitudes of the *singers* are further documented by a speech that one of the tribal officers, himself a *singer*, made to an assembly of physicians at the Fort Defiance Hospital in 1955. He said:

As I see it, all the diseases which hurt the Navaho people may be divided into three kinds. There are those diseases that we medicine men have given up on. We know that you white doctors have better cures than we do. One of the diseases of that sort is tuberculosis. Then there is sickness which comes from getting too close to where lightning has struck. Right now there are probably some patients in this hospital who are sick from that illness and you doctors have no way of even finding out what is wrong with them—but we medicine men can, and we are able to cure such cases. A third type of illness is snake bite. You can cure that, and we Navaho also have our own medicines for that.



These changing attitudes and beliefs are also shared by the diagnosticians, including the *listeners* and the *star gazers*. In 1957 at Many Farms, Arizona, where a field clinic was recently inaugurated, four different *hand-tremblers* stated, upon questioning, that their hands "often shook towards the hospital," indicating that the patient's illness should be treated initially by the physician rather than the medicine man.

#### EFFECT OF ANTIBIOTICS ON NAVAHOS

The Navaho's favorable outlook on our medicine has probably been accelerated in recent years by the "antibiotics" and other powerful drugs which have come into general use. Before these specific agents were developed, the physician was limited frequently to treating only the patients' symptoms and was unable to get at the underlying pathogenic causes. Treatment was often prolonged and not necessarily successful as in the case of tuberculosis and syphilis. Now the Navahos see positive cures in a shorter period of time for these and other diseases. They have been deeply impressed by the efficacy of this improved medical practice.

In 1940, when the Leightons wrote *The Navaho Door* they reported that many hospital beds were unused (although there was considerably more use of the hospital beds then as compared to the previous decade). Indeed, some hospitals were known as death traps—not unlike hospitals in our own culture less than a hundred years ago.

Hospitals became identified with death, and since death is contagious and the mere presence of a corpse in the same enclosure is contaminating in Navaho rationale, the hospitals were not utilized to the degree they are today.

These changes could be documented at greater length:

Whereas chest X-rays for tuberculosis case finding were resisted twenty years ago, today many Navaho patients

ask for X-rays to be taken if a pain of any sort is felt in the chest; vaccinations and "shots" have become routine in most community schools.

#### RELATIONSHIP BETWEEN MEDICAL PEOPLE AND NAVAHOS

The physicians and nurses who are tolerant of Navaho belief and who recognize the psychologic dependence on the *sings* are likely to have a better relationship with the Navaho patients than those who are intolerant of their ways and attempt to force our beliefs and the scientific basis of our medicine on them.

There is good evidence that in the last thirty years doctors on the Navaho reservation, on the whole, have become more tolerant of the Navaho way of life, including their religion, than was formerly the case. They have found that permissive treatment is more effective than an uncompromising and authoritarian attitude.

Doctors at the Fort Defiance Sanatorium in recent years report that when they have suggested that patients have *sings* before and after sanatorium treatment, there has been less absence without medical advice once treatment in the ward is underway. This, of course, is preferable to allowing the patient to go home for a *sing* once chemotherapy has been started. But even that is better, in most instances, than denying such a request because the patient is likely to leave anyway and not return, but the patient who has been given such permission will come back.

Without waiting for further acculturation it is entirely possible for the practitioner of Western medicine to mould his scientific approach into the cultural frame of the Navaho people. In this way modern medical services might not only be made acceptable to the Navahos, but could be taken over as something of positive value and integrated into their own way of life.

# Education Among American Indians: Institutional Aspects

By HILDEGARD THOMPSON

**Abstract:** Although the educational needs of all Indians have never been fully met at any period, education has been one problem area to which the public historically has been most sensitive and most responsive. In 1956, 55.3 per cent of the appropriation made to the Bureau of Indian Affairs was earmarked for formal education. This article attempts to put the educational problems of today's Indians in historical perspective by highlighting what has transpired with respect to the establishment of schools, the major practices and policies governing their operation, and the relationship of policy to the adjustment of Indians to the dominant culture.

**A**PPRAISAL of Indian education at any given period in history requires an understanding of the attitudes surrounding education at that time and a knowledge of the cultural and environmental conditions from which those attitudes stemmed.

Adequate insight into the problems of Indian education also requires understanding of the interrelationship of the various facets of the total Indian situation. The problems of land, credit, and housing; the problems of health, employment, and law enforcement; the attitudes of Indians and non-Indians toward one another; the levels of Indian attainment in accepting civic, political, and tax responsibilities of citizenship; the willingness of state officials and local citizens to make Indian lands a part of the political subdivisions of the state; the willingness of local school boards to assume the same responsibilities for the education of Indian children as of other children; these are all problem situations which have a close relationship to action programs in the field of Indian education.

Education properly used can perform, and has performed, an important

role in reconciling cultural differences and in developing mutual respect between Indians and their non-Indian neighbors. Cultural barriers have been removed for countless numbers of individual Indians through education and association with non-Indians. Education, of course, is not the only force behind the change, but unquestionably it is a powerful force.

## MISSION SCHOOLS

Missionaries were the first educators. The missionaries who accompanied the French and Spanish explorers, and the ministers who came with the early English colonists, were interested in converting the Indians to Christianity. The first Indian school was established in 1568 at Havana, Cuba, by Jesuit missionaries for Florida Indians.<sup>1</sup>

Established missions intensified and expanded their efforts in the eighteenth century, and new missions took up the task. Reverend Eleazer Wheelock conceived the idea of a boarding school to

<sup>1</sup> *Statistics Concerning Indian Education* (Washington: Branch of Education, Bureau of Indian Affairs, U. S. Department of the Interior, 1956).

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remove children from parental influence as a means supposedly of speeding up the process of civilization. His aim was to train teachers and preachers who could return to their people.

The Virginia colony, through its governing body, removed the friendly Indians living in that area to a reservation on the frontier as protection for themselves against the wilder enemy Indians and, as a part of the removal bargain, established a school for Indian children. Later the project was abandoned and the discouraged and desolate friendly Indians were left to the mercy of the frontier tribes.

The organized efforts of the missionary societies stirred the conscience of the federal government to action. The House Committee on Appropriations in 1818 reported:

In the present state of our country one of two things seems to be necessary. Either that those sons of the forest should be moralized or exterminated. . . . Put into the hands of their children the primer and the hoe, and they will naturally, in time, take hold of the plow. . . .<sup>2</sup>

The following year Congress appropriated \$10,000 for support of mission education. With federal aid, mission groups were able to expand educational opportunities for increasing numbers of Indians who were interested and willing to be educated in a different culture.

The general attitude developed throughout the country in the latter part of the nineteenth century with respect to separation of church and state finally dealt a death blow to federal appropriations for the support of mission education. The Act of March 2, 1917 (39 Stat. 988) made it illegal to use federal funds for instruction in sectarian schools.

<sup>2</sup> Senate Executive Document 95, Forty-ninth Congress, Second Session, p. 162.

#### ACHIEVEMENT OF MISSION EDUCATION

Much can be learned from the successes and failures of early mission education. The objectives, of course, were clear: namely, "to Christianize and civilize" the Indian. Mission education attempted to bring to Indians the knowledge and skills of a non-Indian culture. The girls were taught domestic science, and the boys were taught farming and blacksmithing. Indians accepted education when it made sense in their lives; rejected it when they saw little value in it. An Indian chief in reply to an offer to educate Indian youth said:<sup>3</sup>

Several of our young people were formerly brought up at the colleges . . . they were instructed . . . but, when they came back to us . . . ignorant of every means of living in the woods . . . totally good for nothing. We are, however, . . . obliged by your kind offer, . . . and, to show our grateful sense of it, if the gentlemen of Virginia will send us a dozen of their sons, we will . . . instruct them in all we know, and make men of them.

By the end of the eighteenth century a few Indian individuals had shouldered their way above the crowd into history. Reverend Occom,<sup>4</sup> a Mohegan and a pupil of Wheelock, preached in England and later returned to New England as a missionary among his own people. Joseph Brant, another of Wheelock's pupils, became an officer in the British army and later Chief of the Mohawks. There were others, of course, who profited in a general way from the limited education they received, but the recorded results of mission effort up to

<sup>3</sup> *Orienting New Employees*, Branch of Education, U. S. Bureau of Indian Affairs (Chilocco, Oklahoma: Chilocco School Press, 1956), pp. 9, 10.

<sup>4</sup> Alice C. Fletcher, *Indian Education and Civilization*, S. Ex. Doc. 95, Forty-eighth Congress, Second Session (Washington: U. S. Government Printing Office, 1888), pp. 100-102.

the end of the eighteenth century show comparatively little impact on the total Indian population of that period. However, two ideas growing out of the mission work of that earlier time had much impact on Indian culture and influenced later educational efforts: first, the notion that education was the tool to use in "civilizing Indians" became established in the public mind; second, Wheelock's boarding school idea was translated into permanent policy as educational method.

Mission educators deserve the credit for being the first to interest themselves in the educational welfare of Indians.

#### FEDERAL SCHOOLS ESTABLISHED

The period from 1788 to 1871 is usually referred to as the treaty-making period. Indians were not United States citizens. The federal government in negotiating treaties with the various groups dealt with them as sovereign nations. In addition to land agreements, the treaties usually defined the types of goods and services that would be provided each group. For example, the Treaty of 1868<sup>5</sup> between the federal government and the Navaho tribe promised a school house and a teacher for every thirty Navaho pupils who presented themselves to be educated. The federal government, therefore, in fulfilling treaty obligations or moral obligations voluntarily assumed, began to build federal schools. The first federal school was established in 1860. From that time on the number of federal schools increased each year, yet never fast enough to meet the need.

The central purpose of early federal education was to civilize the Indian. Federal school programs, following the pattern set by mission schools, provided

instruction in domestic arts, farming, industrial arts, and the three R's.

Although several day schools were in operation, educators of that time preferred the boarding school pattern envisioned by Reverend Wheelock and for the same purpose—"to free the children from the language and habits of their untutored and often times savage parents."<sup>6</sup>

This period like those that followed was characterized by a struggle for funds and facilities to keep pace with the ever growing interest of Indians in education. In 1868 the Indian Commissioner wrote, "Many of the tribes have no schools."<sup>7</sup>

In 1883, the Secretary of the Interior stated,

If a sufficient number of manual labor schools can be established to give each youth the advantages of three to five years of schooling, the next generation will hear nothing of this difficult problem, and we may leave the Indian to himself.

The Secretary asked for a yearly appropriation of \$5,000,000 for five years. The Congress appropriated \$400,000.<sup>8</sup>

To alleviate the shortage of school facilities, the Act of July 31, 1882, authorized the conversion of abandoned army forts to school use, several of which are still in use in 1956; for example, Fort Totten in South Dakota, and Fort Wingate in New Mexico.

#### *Public opinion and Indian education*

Public opinion with respect to Indian education was divided at that time into two opposing camps: those who believed in the capability of the Indian to take his place in society if given the opportunities of education, and those

<sup>5</sup> Annual Report of the Indian Commissioner to the Secretary of the Interior, 1885, p. 23.

<sup>7</sup> *Ibid.*, 1868, p. 2.

<sup>8</sup> Elaine Goodale Eastman, *The Red Man's Moses* (Norman: University of Oklahoma Press, 1935), p. 95.

<sup>5</sup> Charles Kappler, *Indian Affairs, Laws and Treaties*, Vol. II: *Treaties* (Washington: U. S. Government Printing Office, 1904), p. 1,017.

who believed such efforts would be wasted. Pressures on the Congress came from both groups. Senator Ingalls from Kansas fought appropriations for Indian schools. He branded the educated Indian "an alien and an outcast of his own tribe."<sup>9</sup> Senator Dawes of Massachusetts spoke in favor of educating the Indian and supported Colonel Pratt who proclaimed, "if one-tenth of the money we have spent in driving the Indians away from contacts with civilization had been used in kindly helping them—there would be many more prosperous Indians in the country."

The debates continued with each request for appropriations. Funds were never enough, and they were always too late.

Colonel Pratt spoke loudly throughout the country in favor of the boarding school idea. His particular educational program at the Carlisle Indian School set the educational pattern of half-work half-academic instruction that entrenched itself permanently in the early boarding schools. He stated that "a farm and a garden are to be connected with each school, and one half of the school time devoted to industrial training."<sup>10</sup>

Despite the efforts of Pratt and others of his day, school facilities never kept pace with the interest of Indians in education. Published statistics from an 1885 report show approximately one-half of the Indian population without school facilities. As late as 1953, half of the Navaho children of school age were not in school, primarily because of lack of facilities.

#### THE MERIAM SURVEY

The Bureau of Indian Affairs had come under considerable criticism pre-

ceding 1928, not so much with respect to its educational objectives, but with respect to the methods used in educating Indian youth. During the Hoover Administration, the Department of the Interior employed the Institute for Government Research to conduct a survey of Indian administration including education. The findings of the survey were published in a lengthy report in 1928. This report sparked a new point of view, which led to newer objectives, methods, and approaches. The importance of family security in the development of youth was recognized, and this turned attention to day schools versus boarding schools.<sup>11</sup>

The purpose of education was more directly pointed toward helping Indians gain the scientific, technological, and civic skills to function in the world about them. Results of this newer emphasis expressed itself in many important ways. Day schools were extended to provide education within the home environment. Those off-reservation boarding schools which were retained changed their objectives; they further readjusted their programs to give emphasis to vocational training keyed to available employment opportunities in the skilled and semiskilled trades. Emphasis was given to the recruitment of better qualified teachers and in-service training of career teachers in the newer point of view. Revitalized Indian education played an important role in preparing Indians to meet the newer responsibilities of citizenship. The community school near the people deepened Indian interest in education.

Three basic ideas modified educational policy between 1925 and the present. The concept of the boarding school as a desirable education method of acculturation gave way to the idea that

<sup>9</sup> *Ibid.*

<sup>10</sup> Regulations of the Indian Department, 1884, sec. 517, rules 5 and 6.

<sup>11</sup> Lewis Meriam, *The Problems of Indian Administration* (Baltimore: Johns Hopkins Press, 1928), pp. 346-429.

children should be educated within their local home environment. However, Wheelock's boarding school idea had by this time become entrenched so deeply in Indian thinking that it virtually had become a part of Indian culture.

The half-and-half school program of work and classroom instruction that evolved as a pattern was replaced with a policy of full-time instruction.

The use of the native language was no longer forbidden. Indian youth was encouraged to retain pride in its Indian heritage and to preserve its knowledge of the native language as a sound basis upon which to build a better way of life in an English-speaking culture.

#### SPECIAL IMPACTS ON INDIAN EDUCATION

The Act of June 2, 1924 (43 Stat. 253) commonly known as the Citizenship Act granted citizenship upon all Indian residents within the continental United States. This important legislation was full of meaning to Indians, to states, and to the federal government.

World War II retarded formal education of Indians. Indian youth of military age left school to enter the service. Others, especially girls, left school before graduation for employment in war industries. Consequently, high-school enrollments dropped. On the other hand, the war years which brought a greater number of Indian people than ever before in contact with non-Indians, forceably brought home to Indians their many disadvantages due to lack of education—disadvantages in employment, in opportunities for advancement in the armed services, and in social adjustment. These war experiences whetted Indian ambitions for more education for themselves, and especially for greater educational opportunities for their children.

#### A SPECIAL PROGRAM FOR NAVAHO ADOLESCENTS

Practically the only forward-looking educational activities during the war period were the postwar planning of a school-building program, much of which never materialized, and the launching of a specially planned education program to meet the specific needs of non-English-speaking adolescent Navahos. This program was designed to salvage adolescent Navahos from illiteracy and to give each a salable skill for employment in industry. The pilot project which started at Sherman Institute in 1945 for 245 pupils has since expanded to ten schools enrolling approximately 5,000 pupils in 1956. The success of the program has been proven by the high percentage of graduates who are now employed in good-paying jobs and who are maintaining good homes and rearing families in good communities.

#### PUBLIC SCHOOL EDUCATION FOR INDIANS

Thousands of Indians have received their education in the public schools of this country. The first public school system in what is now Oklahoma was established by the Five Civilized Tribes with some of the funds which they received from the lands they ceded in the East previous to their removal to Indian territory. In 1890, tuition payments were made to certain public schools that enrolled Indian children. In 1900, the official reports indicate that 246 children were enrolled in public schools. In 1956, 71,956 were enrolled in the public schools of the United States and Alaska.<sup>12</sup>

Certain pertinent facts are directly related to the progress made by states in

<sup>12</sup> *Statistics Concerning Indian Education* (note 1 *supra*).

assuming responsibility for the education of citizen children of Indian blood. First, the reservation policy established by the federal government during the treaty period isolated culturally the Indian groups and removed them to areas where no public schools existed. Second, and more importantly, until 1924 Indians for the most part were not citizens; therefore, the states had no responsibility for providing education for Indian children. Third, the Citizenship Act in conferring citizenship upon Indians brought them within the same orbit of rights with respect to education as other citizens in the respective states. Nevertheless, this particular act in itself did not and could not remove the financial roadblock created by nontaxable Indian lands, which might deprive local school districts of tax resources to the point where it was impossible to assume educational responsibilities for Indian children.

#### FEDERAL AID TO EDUCATION

With these three factors in mind, the federal government has moved in the direction of assisting states to assume their responsibility for Indians on the same basis as other citizens.

The Johnson-O'Malley Act (Act of April 16, 1934, 48 Stat. 596) provides the legal authority through which financial assistance is given. Federal policy provides assistance on the basis of financial hardship due to the tax-free status of Indian land. Consequently, Indians who live in school districts where tax-exempt land creates no economic hardship receive their education in the public schools without financial assistance from the Bureau of Indian Affairs. Approximately 45 per cent of the Indian children enrolled in public schools exclusive of Alaska in 1956 were in schools receiving no financial assistance from the Bureau of Indian Affairs.

The Act of September 23, 1950 (64

Stat. 967), Public Law 815 and the Act of September 30, 1950 (64 Stat. 1100), and Public Law 874 have, in addition to the Johnson-O'Malley Act, materially accelerated the ability of states to assume educational responsibility for Indians on the same basis as other citizens.

Language in Public Law 874 permits states to utilize the provisions of that act instead of the Johnson-O'Malley Act for financial assistance in the operation and maintenance of schools enrolling children from tax-free Indian lands, upon election by the Governor of the state to do so. The Governor of Florida made such election in 1953. Oregon has elected to receive aid under the provisions of Public Law 874 beginning with fiscal year 1958. California has agreed, beginning with fiscal year 1959, to assume exclusive responsibility for the education of all Indian citizens with residence in that state without financial help from the Bureau of Indian Affairs.

Tremendous progress has been made by states and local districts in assuming educational responsibility for Indian citizens. The federal government once operated schools in Michigan, Washington, Minnesota, Idaho, Nebraska, and Wyoming; today, all Indian children in those states are in public schools. The one school remaining in California is operated for Southwest Indians who still lack facilities in their own states, not for Indian residents of California. In 1958 Oregon will assume educational responsibility for all its Indian tribes except the Warm Springs group. One federal day school remains in operation in Florida and one in Utah. One federal vocational boarding school is operated in Utah, one in Kansas, and one in Nevada.

In my opinion, it can be conclusively stated that states are assuming their responsibility for the education of Indian children as rapidly as the major roadblocks are removed; that any resistance

on the part of state authorities and educational agencies toward acceptance of responsibility for the education of Indian children stems primarily from financial reasons and not from racial discrimination. The isolated individual resistance to Indians in the public schools is the exception, not the general attitude. The exceptions usually stem from individual attitudes which are historically based; primarily, the attitude that Indians properly are a federal and not a local responsibility. This attitude in turn is largely an unwillingness to accept a financial responsibility rather than an unwillingness to accept the Indian as a person. Therefore, federal policy is designed to move carefully and thoughtfully toward the removal of the remaining roadblocks to state assumption of responsibility for services to its Indian citizens. The policy simultaneously will guard against the following with federal services those Indians moving into the general flow of non-Indian life.

#### INDIAN EDUCATION TODAY

The failure from the very beginning to keep up with Indian needs for education had produced by 1952 a tremendous backlog of out-of-school Indian children. In 1952, this population in some of the larger Indian areas equaled the in-school population. These serious conditions, accumulations of the past, if permitted to continue would project illiteracy among certain groups—the Navaho, the Choctaw of Mississippi, and the Alaskan natives—another fifty to seventy-five years. The perennial out-of-school population has resulted in a lower educational level for Indians as compared to the general population—an estimated median of fifth grade for Indians as compared with approximately twice that level for the general population of the United States. Without adequate educational

tools which include a sufficient command of English to move into the dominant culture, many Indians today are chained against their will to an inadequate land base on their reservations. Standards of living depressed beyond the subsistence level on reservations have resulted in unemployment, poor health, poor housing, and relief loads. These conditions often manifest themselves in such misunderstood symptoms as hopelessness, apathy, alcoholism, and delinquency. These situations constitute unmistakable social roadblocks to acceptance of Indians.

The federal government under the present administration is striking hard at the heart of the Indian problem with a three-point program of adequate education, better health, and expanded economic opportunities for Indians in trusteeship status. The purpose of this positive program is to remove the social and economic hindrances to Indian advancement.

In 1953, Glenn L. Emmons, the newly appointed Commissioner of Indian Affairs, at the instruction of the President of the United States visited most of the Indian tribes to discuss with them their problems and to acquaint himself firsthand with Indian needs. Upon his return, Commissioner Emmons outlined basic policy aimed at breaking down the cultural barriers between Indians and non-Indians. He then instructed his staff to develop specific and practical programs to implement the policy. On many occasions the Commissioner has publicly announced his general policy and program. His most recent statement on the matter follows:

Our present program, in essence, is to develop the Indian land resources as fully as possible so that they will provide maximum support for those who want to make a living directly from the land and to make new job opportunities and appropriate training available for those who prefer to make



their living in industry or some other line of work. To meet the needs of people in this second category we are fostering the growth of industry near the reservations and providing a broad range of relocation services for those who decide, on their own initiative, to seek employment in metropolitan areas. Education, of course, is vitally important in this whole undertaking—adequate education for all Indian children of normal school age, vocational training to improve the earning capacity and economic prospects of adults who lack basic job skills, literacy training for adults who have an inadequate command of the English language. The goal, in short, is to give the Indian people, at long last, the kind of opportunities which other American citizens traditionally enjoy—opportunity to choose the line of work they prefer and to make the most of the abundant talents and abilities which so many of them possess.

#### EDUCATIONAL GOALS OF NEW POLICY

Commissioner Emmons stated specific policy with respect to education as follows:

So as not to separate children from their parents at the tender or formative years, Indian children shall be educated, so far as possible, within their home environment and at least through the elementary grades. Educational opportunities are to be provided in public schools if they are available or can be made available for Indian children equally with other children. Federal schools will be required until such time as favorable conditions can be developed for enrollment of all Indian children in public schools.

This policy does not preclude the right of parents to choose on their own initiative private or mission school opportunities for their children. In keeping with this announced education policy, action programs have been developed to carry out the following specific educational goals:

1. Elimination of the out-of-school backlog as rapidly as possible.
2. Transfer of school operations to states as rapidly as conditions will per-

mit the achievement of permanent integration of Indians into the public school systems of their respective states.

3. Initiation of action programs to raise the educational level of Indians, both youths and adults, to that commensurate with the non-Indian population.

Because of the size and complexity of the problem, the Navaho education situation was attacked first. Commissioner Emmons, due to his long-time firsthand knowledge of the Navaho education problems, shortly after taking office in August of 1953 instructed his staff to develop and carry out plans to eliminate within two years the out-of-school backlog, which at that time numbered almost 14,000 children, or half of the school-age population. The Navaho Emergency Education Program quickly came into being, and Congress increased appropriations to meet the emergency. Under the emergency plans (a) boarding school facilities were expanded on the reservation, (b) additional children were crowded in existing facilities both on and off the reservation, (c) public school facilities were expanded and boarding dormitories provided in towns on the periphery of the reservation to permit attendance in public schools, (d) public schools were developed at certain locations on the reservation, (e) trailer schools were established at all points where population density would support a school on a day basis. As a result of the all-out effort and co-operation at all levels of government, the goal was accomplished; school seats were made available under emergency conditions within a two-year period for 13,000 additional Navaho children. The program had the full support and co-operation of the Navaho people, and this accounts in a large measure for the unbelievable achievement which far outstripped any previous efforts to solve the out-of-school Navaho problem.

The same problem existed and the

same efforts were put forth with equal success to reduce the out-of-school population among the Choctaw of Mississippi. Plans have been formulated and some steps have already been taken to strike hard at the Alaskan education problem.

#### LONG-RANGE EDUCATIONAL PROGRAMS

Now that backlogs have been or are rapidly being eliminated, long-range plans within over-all policy are being developed to keep abreast of the annual increase in school-age population, to relieve the serious overcrowding, and to replace unsafe and makeshift school structures. The same bold attack used to eliminate school backlogs is evident in the plans to prevent the development of new backlogs.

Outstanding progress has been made in developing public school opportunities for Indian children. The number of Indian children in the public schools in the continental United States and Alaska has increased from 52,960 in 1952 to approximately 71,956 in 1956.

Several active programs aimed at advancing the educational level of the total Indian population have been started within the past few years. In October of 1955, a pilot program of adult education was started on five reservations: the Papago, the Fort Hall, the Turtle Mountain, the Seminole of Florida, and the Rosebud reservations. This pilot program aims to provide educational opportunities for Indians who failed to get an education in their youth. The program has been well received by the Indians who want to learn to speak and read English and to enlarge their understanding of newer responsibilities they must assume. The program's aims are to orient Indians and their children to a time-conscious, acquisitive, and competitive world and at the same time to give them sufficient command of English to function in an English-speaking society.

The Act of August 3, 1956 (70 Stat. 986) provides for vocational training for adult Indians to equip them with skills needed to earn a livelihood in a competitive, industrial society either on, near, or away from their reservations.

Increasingly, greater emphasis is being placed on higher education as greater numbers of Indian youths complete high school. The Congress appropriated \$70,000 in 1957 to be used primarily for grants to students pursuing higher-education courses. Most tribes with the financial resources to do so provide either grants or loans or both for their youths. Some tribes have set aside sizable trust funds, the income from which will be used to aid their young people to advance themselves educationally. Some states, several universities and colleges, and many religious, fraternal, and civic groups also provide help for the higher education of Indians.<sup>18</sup>

As a result of the special emphasis and effort during the past four years, 127,492 Indian children of all ages in the United States and Alaska were enrolled in school as compared to 102,322 in 1952. Of those enrolled in school in 1956, 58.6 per cent attended public schools, 32.3 per cent attended federal schools, and 9.1 per cent attended mission and other schools. Children enrolled in federal schools attended 236 schools in the United States and 85 schools in Alaska. Over half (52.4 per cent) of the children in federal schools are enrolled in the primary and first four grades. *Eight out of every ten children* in federal schools (82.7 per cent) are full bloods, most of whom come from totally non-English-speaking backgrounds. These statistics help to point up the additional functions schools must assume in developing the language and social skills necessary for successful cultural adjustment.

<sup>18</sup> *Higher Education Aids for Indian Young People* (Washington: U. S. Bureau of Indian Affairs, 1956).

EDUCATIONAL TECHNIQUES FOR  
INDIANS

The Bureau of Indian Affairs and many public school systems through years of experience in educating Indians have developed and tested certain techniques for meeting the special needs of Indian pupils from unacculturated backgrounds. Both the federal and the public schools are faced today, however, with the problem of developing education programs that will effectively and quickly bridge the educational gap between Indians and non-Indians. The Eighty-fourth Congress, Second Session, enacted Public Law 702. This law authorizes the Secretary of the Interior to conduct a comprehensive survey of Indian education for the purpose of recommending programs and techniques to improve the education of Indians. The history of the legislation shows the need for additional research with respect to the particular problems of those children who must, at the beginning of their school career, learn a second language. The purpose of the survey is to develop facts and make recommendations that will serve as a guide for the Congress, for the Bureau of Indian Affairs, and for states concerned with the problem.

This is a timely step in the right direction. A recent joint study of the Education Policies Commission and the National Manpower Council points up the demands that newer technological developments will make on education. Automation is here; and education is charged with retraining and upgrading the labor force to prepare for newer type jobs at higher skill levels. It is without question that if the general population is undereducated at this time, unacculturated Indian groups must bridge an even greater educational and social gap. Schools must provide more intensive and carefully planned programs to prepare Indians for a place in a highly mechanized world.

## SUMMARY AND CONCLUSIONS

The records show that an attempt has been made to use education as a tool to implement the policies of each period of Indian administration. As policies changed, the objectives of Indian education were accordingly modified. After more than three centuries, why then are Indians educationally disadvantaged? Why is there an Indian education problem? Has education been effectively used to transmit to Indians the values of the dominant culture?

In seeking the answer to these questions two basic facts must be kept in mind: first, in the past educational opportunities have been available to only a fraction of the Indian population; and second, many Indians did not want to be educated in the white man's tradition. Consequently, countless Indians neither wanted nor sought educational opportunities for their children.

On the other hand, for those who had educational opportunities and who took advantage of these opportunities, education has been an effective tool in reconciling cultural differences. Thousands of Americans of Indian blood function equally in today's society with non-Indians. They can be found side by side with other Americans in every walk of life.

The education problem today is with individuals and groups who for one reason or another have not had educational opportunities. For the first time in history, Indians see the need for education. All tribes are seeking greater educational opportunities for themselves and their youth. At last formal education has been accepted to the point where it is an important part of Indian values. Current policy with its special emphasis on education, together with Indian interest in education and continued support of the Congress, will, without doubt, advance the education of all Indians to that level which will enable them to function equally with others in this twentieth-century world.

# Education Among American Indians: Individual and Cultural Aspects

By ROBERT J. HAVIGHURST

**Abstract:** The culture of the Indian child equips him well or poorly for education in American schools, depending on how well his culture matches that of the American society which surrounds him. Motivation for school achievement, for instance, is poor by white standards among children of Indian tribes whose culture is based on co-operation rather than on competition. Innately, Indian children have about the same mental equipment as have white children, but their cultural status and experiences cause them to rank lower on educational achievement tests, especially in high-school subjects.—Ed.

EDUCATION is as old as human society, and every human society has its own particular ways of making its children into full-fledged adult participants in its culture. The American Indian tribes having different cultures used different forms of education, but all were alike in giving education *informally* through parents, other relatives, the old people of the tribe, religious societies, hunting and war, and work parties.

## TRADITIONAL INDIAN EDUCATION

As long as they preserved their cultures, the Indian tribes educated their children successfully in this informal way. A few tribes, all living in the American Southwest, have preserved their cultures well-nigh intact into the twentieth century and have continued to educate their children in the traditional ways. Among these, the Pueblo groups have succeeded remarkably well in maintaining the tribal cultures in the face of competition from the surrounding culture of white Americans. One of the Pueblo tribes is the Hopi whose members live in villages of close-packed

stone houses on the mesas of north central Arizona. A Hopi chief, now a man of about seventy, has given us in his autobiography an account of the education he received as a boy.<sup>1</sup> He says:

Learning to work was like play. We children tagged around with our elders and copied what they did. We followed our fathers to the fields and helped plant and weed. The old men took us for walks and taught us the uses of plants and how to collect them. We joined the women in gathering rabbitweed for baskets, and went with them to dig clay for pots. We would taste this clay as the women did to test it. We watched the fields to drive out the birds and rodents, helped pick peaches to dry in the sun, and gather melons to lug up the mesa. We rode the burros to harvest corn, gather fuel, or herd sheep. In house-building we helped a little by bringing dirt to cover the roofs. In this way we grew up doing things. All the old people said that it was a disgrace to be idle and that a lazy boy should be whipped.

This man, when he was six or seven years old, went through the first initia-

<sup>1</sup> Leo Simons (Ed.), *Sun Chief* (New Haven: Yale University Press, 1942), pp. 51-52, 45.

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tion, in which all Hopi children learn the simplest of the religious mysteries. Before that he had received some of his early moral education through the visits of katchinas, villagers disguised as supernatural beings. Of this he says:

I saw some giantlike Katchinas stalking into the village with long black bills and big sawlike teeth. One carried a rope to lasso disobedient children. He stopped at a certain house and called for a boy. "You have been naughty" he scolded. "You fight with other children. You kill chickens. You pay no attention to the old people. We have come to get you and eat you." The boy cried and promised to behave better. The giant became angrier and threatened to tie him up and take him away. But the boy's parents begged for his life and offered fresh meat in his place. The giant reached out his hand as if to grab the boy but took the meat instead. Placing it in his basket, he warned the boy that he would get just one more chance to change his conduct. I was frightened and got out of sight. I heard that sometimes these giants captured boys and really ate them.

The education of a Hopi boy had much that was similar to that of a Zuni or Zia boy, since these were all Pueblo tribes, but there were great differences between the education of Hopi children and that of the Navahos, who dwelt in isolated family units and lived a semi-nomad life; and there were other differences characteristic of the plains-dwelling and buffalo-hunting Sioux; or the desert-dwelling Papago; or the salmon-fishing Yurok; or the maize-growing Pequots of New England. It is to be remembered that there were 500 different Indian languages in North America and more than that number of tribes, each with its own particular culture which it taught to its children.

Toward the close of the nineteenth century, those Indian tribes which were left settled down to a peaceful coexistence among themselves and with the

white man; and the latter felt some responsibility for educating their children. For some years from the end of the Indian wars until the 1920's, the American government Indian policy was to educate the Indian children into the white culture, and for this purpose there were established government schools, many of them boarding schools, to which Indian children of various tribes were sent.

The period of boarding schools had its heyday from about 1890 to 1920. In this period soldiers were sometimes sent out to round up Indian children and bring them into boarding schools. Several of the Indian schools became quite well-known for one feature or another. For example, the Carlisle School in Pennsylvania was made famous by the fact that Jim Thorpe, the great all-round athlete of the period between 1910 and 1920, got his athletic start there.

The boarding schools were changed a great deal after the Meriam Report made to the government in 1928 on *The Problems of Indian Administration*. Among other things this report called attention to the value of bringing up children in their home environment and asked that the boarding schools be "humanized" and used only for older children.

In this earlier time, Sun Chief, the Hopi whom we have quoted on his Indian education, attended boarding schools first on the edge of the Hopi country and later in California. He adjusted himself fairly well to the California school, until he was taken with a severe illness during which he was unconscious for a time and had a vision of his "Hopi Spirit Guide." During a long convalescence, he concluded that he should return to the ways of his fathers. He says:

As I lay on my blanket I thought about my school days and all that I had learned.

I could talk like a gentleman, read, write, and cipher. I could name all the states of the Union, with their capitals, repeat the names of all the books of the Bible, quote a hundred verses of scripture, sing more than two dozen Christian hymns and patriotic songs, debate, shout football yells, swing my partners in square dances, bake bread, sew well enough to make a pair of trousers, and tell "dirty stories" by the hour. It was important that I had learned how to get along with white men and earn money by helping them. But my death experience had taught me that I had a Hopi Spirit Guide whom I must follow if I wished to live. I wanted to become a real Hopi again, to sing the good old Katsina songs, and to feel free to make love without the fear of sin or a rawhide.<sup>2</sup>

Sun Chief's irony should not be taken as an adequate summary or evaluation of the education given in Indian boarding schools during the period 1890 to 1920, but nevertheless it is the reflection of the experience of an intelligent man who became a leader of his own tribe in his adult years.

#### THE INDIAN AS A MAN OF TWO CULTURES

Education is always a process of teaching a culture, and the education provided by the whites for the Indians has always been aimed at teaching the white culture, or at least some elements of it, to people who have been reared in another culture. In the period of "Americanization" of the Indians, the whites' education was more explicitly aimed at making "white men" out of Indians than it has been since 1930. Since then, it has been designed as a supplement to the tribal education rather than a rival or a replacement for the tribal education. Nevertheless, white education has represented a new and different culture to the Indian, even when planned as supplementary to tribal

education by teaching only certain white agricultural and home-making skills and the 3 R's and by leaving matters of religion, family life, and vocational choice to the traditional tribal processes. Therefore, the Indian who is subjected to white education becomes a man of two cultures. Sometimes the Indian culture predominates and sometimes the white culture wins. Generally, the individual makes his own combination of the two by adopting such white "ways" as are useful and pleasant to him including farming and home-making skills, artisan skills, and often a form of Christianity.

The existence in the Indian's experience of parallel but different cultures is illustrated by a study made in the early 1940's of Navaho Indian children having different degrees of contact with white culture in two different communities.<sup>3</sup> The Shiprock community is located on a well-traveled highway and has substantial economic relations with neighboring white communities. This was probably the most acculturated of Navaho communities in the early 1940's. In contrast, the Navaho Mountain community was probably the least acculturated. Situated far away from any highway, in an area almost never visited by white men, many of the Navaho children had never seen a white person except the school teacher; and many of the children never attended school. A few of the older children attended a boarding school in Tuba City, which was on a secondary highway, but still relatively apart from the world of white Americans.

The Shiprock children were closer to the average of white American children on a number of tests of attitudes and abilities than were the Navaho Mountain children, but still the Shiprock

<sup>3</sup> Robert J. Havighurst and Bernice L. Neugarten, *American Indian and White Children* (Chicago: University of Chicago Press, 1954).

<sup>2</sup> *Ibid.*, p. 134.

children showed many significant differences from the white children, indicating the persistence of the Indian culture in their lives.

#### *Attitude towards games*

Among other things the Indian children were asked about the games they played, who had made the rules, and who could change the rules. These questions had been asked of Swiss children and of American white children at various ages. The following tribes were studied in this way, Pueblo (Hopi, Zuni, Zia), Sioux, Papago, and Navaho. The games mentioned by the children were all "white"—that is, part of the surrounding white culture—such as basketball, baseball, marbles, and "jacks." Concerning these "white" games the Indian children showed the same kind of change of attitude with age as is shown by white children. That is, the younger children said that rules were made by powerful people or people in authority, and that these rules could not be changed; while the older children said that rules are made by experts or by committees of players. However, the change to a more mature set of attitudes was generally slower in coming to the Indian children.

At Navaho Mountain, the isolated Navaho community, some of the children had never seen "white" games and gave answers concerning traditional Navaho games. This suggested to one of the researchers that she might ask systematically about Navaho games as well as about "white" games, and she was able to get information concerning attitudes toward the rules of games from thirty-eight boys and girls in the Navaho Mountain area, of whom twenty-four had had experience with both kinds of games.

Concerning the "white" games, they generally said that the rules were made by the coach, or the teacher, or some

person in authority, and that these rules would be changed by agreement among the people playing the game. This kind of answer is given by white children. But when asked about rules of traditional Navaho games, the Navaho Mountain youth said unanimously that the rules were first made by the "holy people," or by the "ancient ones," or by the "animals"—who in the ancient days possessed human characteristics—and that no human could change the rules.

For example, an 18-year-old Navaho boy had gone away to an Indian boarding school and had obtained a relatively large degree of contact with white culture. He spoke about football and said that "coaches or head people" get together and make or change the rules. But concerning Navaho games he said that the rules could not be changed "because the holy people taught us them. It's not right to change them."

Thus we see that these young people learn one kind of attitude toward rules of games that they see in the "white" culture, and probably toward rules of life in general; and they learn a different kind of attitude toward such rules that are part of the Navaho culture. Truly they are growing up to be people of two cultures, subject to two contrasting kinds of education; and they must make their own combination or synthesis of the two cultures and the two kinds of education.

The "white" education is part of the white American culture. The Indian child comes to this conditioned by the culture his family and community have taught him. Some Indian groups are now quite thoroughly acculturated to the white way of life—notably in Oklahoma. Their children learn little of the traditional Indian culture and take on the culture of the white school quite easily. Other Indian children, like those of Navaho Mountain, get very little experience of white society and learn very

little from the white school. Most Indians are between these two extremes. In general, we should expect the Indian child to do well in American schools by "white" standards only if he and his family are a part of the white culture.

#### EQUIPMENT OF INDIAN CHILDREN FOR EDUCATION

Thus the culture of the Indian child equips him well or poorly for education in American schools, depending on how well his culture matches that of the American society which surrounds him. Where his Indian community has been largely absorbed into the white community and the adjustment has been successful, as is true of the Oklahoma Indians, the Indian child may be expected to do as well as white children in the schools, unless he has some biological "racial" difference which gives him an advantage or a disadvantage over white children. There is no evidence that such a biological difference exists.

When his culture is quite different from that of the surrounding white community, as in the case of the Pueblo and Navaho Indians, or when his tribal culture has disintegrated and his group has not yet adjusted well to membership in the surrounding white culture, as was true in the 1940's of the Sioux, the Indian child may be expected to do rather poorly in schools that are run according to white standards.

In addition to this general statement about the equipment of Indian children for success in schools, there are two general questions whose answers throw some light on Indian experience with white schooling.

The first question is whether Indian children are well motivated for work in school. A form of motivation which is important in American education is the individual's desire to compete with and do better than his fellows. This is a notable aspect of the white American

culture, especially of the middle class. Consequently, school children are rewarded by parents and teachers for doing better than other children. Some Indian tribes are traditionally individualistic and competitive, but most of those that survive today are co-operative in their basic attitudes. They work and share together in large families and in neighborhood groups, and they value sharing and co-operation more than individual differences and competition. The Indians of the Southwest, and especially the Pueblo tribes, are notably co-operative. Consequently, if a teacher in a government school, who has been accustomed to assume that children are competitive, tries to appeal to this kind of motivation by using spelling contests or by encouraging children to call attention to the mistakes of other children, the teacher may be perplexed to find that such teaching methods do not work very well. The Indian children may not parade their knowledge before others nor try to appear better than their peers.

In a situation like this, the teacher would do well to discover other forms of motivation for school work, including the use of group procedures and the provision of activities which the Indian children enjoy in themselves. Drawing and painting and other crafts seem to have such an intrinsic appeal to Indian children.

Motivation for education is also poor, by white standards, when a tribe has lost its traditional culture and has not yet successfully fitted into the white culture. Such a situation is described by Macgregor in his study of two Sioux communities<sup>4</sup> where the people were just beginning to be successful as cattle raisers, but many were eking out a poor existence as laborers in nearby white communities or were making a

<sup>4</sup> Gordon Macgregor, *Warriors Without Weapons* (Chicago: University of Chicago Press, 1945).



bare living as farmers. The children of these communities were mixed in their attitudes toward schooling. Many of them started out well, and then in adolescence seemed to lose their drive for education.

### *Intelligence of Indian children*

Studies of the intelligence of Indian children may be divided into two groups—those reported before and after 1935. The first group of studies tended to show that Indians were less intelligent than white children. The second group tended to show that there was no difference in average intelligence between Indian and white children, except for such differences as were explainable on the basis of cultural differences.

The following is a brief summary of the studies of the intelligence of Indian groups in particular, including the tests used and the results obtained. The earliest reported study dates back to 1914 when Rowe administered Stanford-Binet examinations to 268 Indians and found 94 per cent of them to be below the norm for whites on the basis of chronological age.<sup>5</sup> Hunter and Sommermeier in 1921 gave the Otis Classification Test to 715 mixed- and full-blood Indians and found a correlation of .41 between degree of white blood and the intelligence quotient.<sup>6</sup> Garth administered the National Intelligence Test to Indians of various tribes and localities as well as to Mexicans and other ethnic groups. His findings substantiate largely those of Hunter and Sommermeier. Garth found Mexicans to do better than full-blood Indians, but not as well as mixed-blood Indians. Garth

<sup>5</sup> T. R. Garth, *Race Psychology: A Study of Racial Mental Differences* (New York: McGraw-Hill, 1931), Chaps. IV, V.

<sup>6</sup> W. S. Hunter, and E. Sommermeier, "The Relation of Degree of Indian Blood to Score on Otis Intelligence Test," *Journal of Comparative Psychology*, Vol. 2 (1922), pp. 257-77.

and his associates<sup>7</sup> also found public-school Indian students to be slightly superior to United States government school Indians and that there was a rise in IQ with school grade. The last finding led Garth to weigh heavily the factor of education in test performance. Haught<sup>8</sup> administered the Pintner-Cunningham Mental Test to little children, the National Intelligence Test to children of intermediate age, and the Terman Group Test of Mental Ability to those in the upper-age levels. He concluded that "Indians make lower scores than whites because they are lower in native ability." The results heretofore described were obtained mainly with the use of paper-and-pencil tests of general intelligence in which the verbal component is quite prominent.

These studies of Indians using verbal intelligence tests give results rather similar to the well-known studies by Sherman, Gordon, and others on white children living in isolated mountain hollows in Virginia, on canalboats in England, and in isolated rural areas where there is very little schooling. These children tend to fall below the average of white children and to suffer a decrease in IQ as they grow older. Such findings suggest that the observed differences of intelligence may not be due to racial differences.

To determine the effect of language on test results, Jameson and Sandiford<sup>9</sup> administered both nonlanguage and language tests of intelligence to 717 mixed-blood Indians and obtained a difference of 5 points in IQ in favor of the non-

<sup>7</sup> T. R. Garth, "The Intelligence of Full-blood Indians," *Journal of Applied Psychology*, Vol. 9 (1925), pp. 382-89.

<sup>8</sup> B. F. Haught, "Mental Growth of the Southwestern Indian," *Journal of Applied Psychology*, Vol. 18 (1934), pp. 137-42.

<sup>9</sup> E. Jameson and F. Sandiford, "The Mental Capacity of Southern Ontario Indians," *Journal of Educational Psychology*, Vol. 19 (1928), pp. 536-51.

language test. The more significant attempts to appraise the intelligence of Indians within the past ten to fifteen years have been made with the use of performance or relatively "culture-free" tests.

Klineberg<sup>10</sup> administered the Pintner-Paterson series of six tests to Indian and white children on the Yakima Indian reservation and found (1) that Indian children took longer with form boards but made fewer errors, (2) that comparison of Indian and white groups in terms of total number of points obtained on the Pintner-Paterson Point Scale showed no differences between the two because the Indians made up in accuracy for their inferior speed, and (3) that correspondence of score with degree of white blood was lacking. Whereas preceding investigations pointed to the superiority of the whites over the Indians on tests of intelligence, Klineberg's study is among the first to offer contradictory evidence and to suggest that test performance may be affected by cultural factors.

A later study by Garth and Smith,<sup>11</sup> employing a nonlanguage and a language test with the same subjects, found (1) that Indian children consistently show a performance on the Pintner-Paterson test more nearly equal to white performance than they do on the verbal test, (2) that the IQ's on the performance test were 10 to 14 points higher than those on the verbal test.

#### *Recent intelligence test studies*

In more recent testings on Indian children, the general contention has been

<sup>10</sup> Otto Klineberg, "An Experimental Study of Speed and Other Factors in 'Racial' Difference," *Archives of Psychology*, Vol. 15, No. 93 (1928), p. 109.

<sup>11</sup> T. R. Garth and O. D. Smith, "The Performance of Full-blooded Indians on Language and Non-Language Intelligence Tests," *Journal of Abnormal and Social Psychology*, Vol. 32 (1937), pp. 376-81.

that the verbal component in tests of general intelligence handicaps the Indian child. Tests that are relatively culture free, of a performance variety, are considerably more appropriate than tests requiring facility with the English language.

An extensive testing program with Indian children was carried through by a University of Chicago group as part of the *Study of Indian Education*.<sup>12</sup> The Grace Arthur Point Performance Scale in a shortened form was used with 670 Indian children aged 6 through 15 in communities of the Navaho, Hopi, Zuni, Zia, Papago, and Sioux Indian tribes. The Arthur test consisted of a battery of nonverbal performance tests—The Porteus Maze, Mare and Foal, Seguin Form Board, Kohs Block Design, and Knox Cube tests. Nonverbal tests were used because it was thought that tests requiring oral or written work in English would penalize the Indian children, since most of them spoke an Indian language at home and very few of them were fluent in English.

Practically all of the children tested were full-blood Indians except the Sioux, where the sample of children conformed to the pattern of blood-mixture on the reservation. In most communities, either practically all children within the age range or a representative sample of them were tested.

On this test battery, most of the Indian groups gave almost exactly the same quality of performance that white children do. There were two Indian groups who fell substantially below the norms for white children—one Papago and one Navaho group—and these children also fell substantially below other groups from the same tribes. However,

<sup>12</sup> Robert J. Havighurst and Rhea R. Hilkevitch, "The Intelligence of Indian Children as Measured by a Performance Scale," *Journal of Abnormal and Social Psychology*, Vol. 39 (1944), pp. 419-33.

the Hopi groups performed definitely above the level of white children. The results of this study indicate that Indian children do about as well as white children on a performance test of intelligence, and that differences exist between tribes and among communities within a tribe—differences of the degree that are also found among white children in various types of communities.

The results of this test on the Sioux children are of special interest because they can be compared with the results of a Kuhlmann-Anderson (verbal) intelligence test which was administered to some of the same children shortly after they had taken the Arthur test. A total of thirty boys and girls took both tests. The average IQ of this group on the Kuhlmann-Anderson test was 82.5, with a standard deviation of 13.5. The average Arthur test IQ of this group was 102.8, with a standard deviation of 19.1. The product-moment correlation coefficient between the two sets of scores was  $.53 \pm .09$ . A group with an average IQ of 83 is generally supposed to be a very dull group, very few of whom are even average in intelligence when compared with a normal group. This conclusion might have been drawn concerning Sioux children from the verbal test. Yet, in the performance test of intelligence, the same group averaged 103, slightly above the average for white children.

In a study made on these same Indian children of five tribes, another non-verbal test of intelligence showed a considerable superiority of Indian children over white children. The test was the Goodenough Draw-A-Man Test. This requires the child to use a pencil to draw a figure of a man. The drawing is scored for accuracy in proportion and detail, and not for other esthetic qualities. Between the ages of 6 and 11 the scores on this test have been found to be closely related to other measures of

intelligence. The Draw-A-Man test has been used with various Indian groups since 1926, with a general finding of a minor degree of inferiority of Indian children compared with white children. However, a 1942 study by Rohrer<sup>13</sup> compared Osage (Oklahoma) Indian children with white children in the same public school classrooms. The Osage Indians are well off economically and speak English in their homes. The mean IQ of the Indian children was 103.8; of the white children, 102.9.

When the test was given to the same groups who were tested with the Arthur Performance Test, the results showed the Indian children to be superior to white children.<sup>14</sup> Average IQ's ranged from 117 (one of the Hopi groups) to 102 (one of the Sioux groups). This was not taken to mean that Indian children are actually superior in native intelligence to white children. The results are best explained as due to cultural differences between the Indian and white children and between the Indian groups. The Indian children, especially the boys, are stimulated culturally to take an active interest in the world of nature and are given much opportunity to form and express concepts of natural objects, including the human body, on the basis of their observations. Furthermore, drawing is done more commonly by adults in several of the Indian tribes than it is by white adults. The Hopi boys exceeded the girls very greatly on this test. This may be explained as due to the greater amount of stimulation received by boys than by girls in this culture to take an active interest in

<sup>13</sup> J. H. Rohrer, "The Test Intelligence of Osage Indians," *Journal of Social Psychology*, Vol. 16 (1942), pp. 99-105.

<sup>14</sup> Robert J. Havighurst, Minna Korol Gunther, and Inez Ellis Pratt, "Environment and the Draw-A-Man Test: The Performance of Indian Children," *Journal of Abnormal and Social Psychology*, Vol. 41 (1946), pp. 50-63.

the world of nature: in man, animals, clouds, and other natural phenomena.

The conclusion which is drawn by most social scientists from the data on Indian cultures and Indian intelligence is that the American Indians of today have about the same innate equipment for learning as have the white children of America. But in those Indian tribes which have preserved their traditional cultures to some extent, there is a limited motivation of children for a high level of performance in schools and colleges.

#### CURRENT TRENDS IN INDIAN EDUCATIONAL ACHIEVEMENT

In 1928 the Meriam Report proposed major changes in Indian education, principally the following:

1. Keep education on the reservation as far as possible and keep it closely related to family and tribal life. Avoid sending children away from home as much as possible.

2. Make the day schools on the reservations into community centers which teach adults as well as children.

3. Humanize the boarding schools; limit them to older children.

4. Make Indian education fit the facts of postschool life for most Indians—stress vocational training in agriculture and handicrafts, health, homemaking, and so forth. Pay attention to occupational placement of graduates.

5. Provide high school and college opportunities for those who do well in school, through more secondary schools and through scholarship aid for able Indian students who wish to attend college.

These proposals have been generally followed in the years since 1928. However, Indian life has been changing, and the educational program of the Indian Service has been affected by the growing acculturation of the Indians and by

their growing tendency to leave the reservations and to live in centers of modern culture. For instance, the Navahos, who up to 1940 were generally not interested in schooling for their children and tended to keep to themselves, have recently been asking for more educational opportunities. They have sent many of their adolescent children to off-reservation boarding schools which have offered a special five-year program for adolescent youth who have had little or no prior schooling. By 1955, approximately 1,200 young men and women had graduated from this program and 50 per cent of these graduates were employed off the Navaho reservation, while only 7 per cent were employed on the reservation—the remainder being housewives, students, or unemployed.

Another example of movement away from the reservation is provided by the Sioux of the Pine Ridge reservation in South Dakota. In 1938–39 a study of graduates of the Pine Ridge schools showed that 98 per cent of them stayed on the reservation to make a living. In 1951 a study was made of 1,542 Pine Ridge boys and girls who had been enrolled in reservation schools between 1937 and 1947. Of this group, 54 per cent were still on the reservation. Most of the remainder were living in white communities near the reservation.<sup>15</sup>

#### *Studies of educational achievement*

There have been several studies of the educational achievement of Indian children since 1945 made with standardized tests which permit comparison among the various groups of Indian and white children.<sup>16, 17</sup>

<sup>15</sup> George A. Dale, *Education for Better Living: A Study of the Effectiveness of the Pine Ridge Educational Program* (Washington: Bureau of Indian Affairs, U. S. Department of the Interior, 1955).

<sup>16</sup> Kenneth E. Anderson, E. Gordon Collier, and Carl E. Ladd, *The Educational*

There were striking differences among Indian groups on the tests of school achievement in the areas of reading, vocabulary, spelling, arithmetic, health and safety, and natural resources. The groups with the greatest degree of contact with modern culture did best. Most of the Indian groups were below public-school white children who lived in the neighborhood of these Indians. On two tests the differences between white and Indian children were small. These had been prepared by Indian Service personnel to test knowledge of health and safety procedures and knowledge of the use of local natural resources of tools. For these two tests, the Indian children had about the same kind of practical background and school experience as the white children of neighboring communities. In the entire battery of tests, Indian children who live *off* an Indian reservation generally did better than Indian children who live *on* a reservation. Further, Indian pupils who live in towns achieved somewhat better than those who live in the open country.

When comparisons of Indian and white pupils are made at various grade levels, it is found that the Indian children compare more favorably with white children in elementary grades than in high school. This is probably due to the fact that the material taught in elementary grades is closer to the life experience of the Indian children—more practical—than is the more abstract teaching of the high school. Thus the home and community life of the Indian child tend to aid him in learning the simple mental skills taught in elementary school, but they contribute little toward helping him with high-school subjects.

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*Achievement of Indian Children* (Washington: Bureau of Indian Affairs, U. S. Department of the Interior, 1953).

<sup>17</sup> L. Madison Coombs and others. "The Indian Child Goes to School" (in press), Chapter I.

### *Educational facilities*

During recent years there has been an increase of provisions for secondary education by the Indian Service. For instance, in 1936 there were 13 high schools operated by the Indian Service, compared with 33 in 1951.<sup>18</sup> The most rapid gains in school enrollment among Indian children have been in secondary schools. Very few high-school graduates go on to college, though even here there has been a relative gain. In 1936 about one out of fifty Indian high-school graduates found his way to college, while, in 1950, one in six of the 597 graduates of Indian Service high schools entered college. Still, this is a small number, and the total of Indians entering college, from all kinds of secondary schools, is in the neighborhood of 200. It appears that Indian youths are doing what white working-class youths also tend to do; increasingly they set their sights on high-school graduation, but relatively few of them go to college.

### CONCLUSIONS

It is clear that, generally speaking, American Indian groups have not taken part in American education at the secondary and higher levels as have the European immigrant groups such as the Germans, Irish, Scandinavians, and Italians. Most Indian groups have clung to enough of their traditional cultures to prevent them from adopting fully the white American culture, including its attitudes toward education and its use of education as a means of social mobility and occupational achievement.

Those Indian groups who move into the stream of dominant American culture will gradually make more use of schooling and will perform better as

<sup>18</sup> Willard W. Beatty, "Fifteen Years of Indian Education," *Indian Education*, No. 211 (Lawrence, Kansas: Haskell Institute Press, September 15, 1951).

scholars. This may take a long time. It seems that the Indian groups who do move into the American culture do so at the lower economic levels and require a generation or two to learn the ways of upward mobility, including the use of education for this purpose.

Individual Indians have done very well in the American educational sys-

tem by committing themselves to learning the dominant American culture and living in it. The number of such people is relatively small and gives evidence of the great holding power of many of the traditional Indian cultures upon their members, even in the face of pressure and temptation to seek the advantages of the American culture.

# American Indian Political Participation

By HELEN L. PETERSON

**Abstract:** The legal right of American Indian tribes to self-government still exists in principle, but during the last hundred years, it has been ignored or infringed upon by regulation or local interpretation to such an extent, especially since the Civil War, that the Indian Reorganization Act of 1934 which meant to restore self-government in local affairs seemed unrealistic to many Indian tribes. Since 1950, government interference in tribal affairs has again increased, both at the national and state levels. The participation of Indians in political life is growing. Over 32,000 were in the armed services during the last World War. As citizens, since 1924 they are increasingly participating in local and national elections.—Ed.

AN EXAMINATION of the term “political participation” as applied to American Indians leads inevitably to consideration of the broader concept of citizenship. In general usage, citizenship involves membership in a political unit, participation in public decisions, and numerous obligations such as military service and the burden of taxation. In daily living, the process is as broad as one’s relationship with his neighbor and as specific as voting in an election. Rights and obligations, privileges and duties become complementary functions and generally are inseparable.

Indians share in the process, but in addition, as citizen-members of their respective tribes, they have loyalties and obligations to political bodies not commonly understood. It is often argued that Indians have a dual citizenship; that their tribes represent nations within a nation; that somehow this is wrong and ought to be terminated. It is true that Indians are citizens of their tribes, and since 1924, they have also been citizens of the United States. But such duality of citizenship—in local and na-

tional government—is enjoyed by all citizens under the Fourteenth Amendment.

That Indians can be effective citizens of the United States while at the same time sustaining membership in a tribe was recognized in an opinion by the Attorney General as long ago as 1855.<sup>1</sup>

In referring to the assertion of incompatibility of American citizenship with Choctaw tribal jurisdiction, he stated that

... the error in all this consists in the idea that any man, citizen or not citizen, becomes divested of his allegiance to the United States, or throws off their jurisdiction or government, in the fact of becoming subject to any local jurisdiction whatever. This idea misconceives entirely the whole theory of the federal government, which theory is, that all the inhabitants of the country are, in regard to certain limited matters, subject to the federal jurisdiction, and in all others to the local jurisdiction, whether political or municipal. The citizen of Mississippi is also a citizen of the

<sup>1</sup> 7 Op. Atty. Gen. 176. See also Cohen, “Indian Rights and the Federal Courts,” *Minnesota Law Review*, Vol. 24 (1940), p. 157-58.

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United States; and he owes allegiance to, and is subject to the laws of, both governments. So also an Indian, whether he be Choctaw or Chickasaw, and while subject to the local jurisdiction of the councils and courts of the [Indian] Nation, yet is not in any possible relation or sense divested of his allegiance and obligations to the Government and laws of the United States.

The problem has always been one of relating Indian political forms to the general governmental framework of the United States without arbitrarily interfering with prevailing customs and practices. Since the degree and quality of participation in any system depend to a large extent upon the attitude people hold for it, which in turn depends upon degree of understanding, protections guaranteed, and other factors that promote effective identification with the system, it may be helpful, before proceeding to a discussion of actual Indian participation today in both local and broader spheres of America's political life, to illustrate how participation has been affected in the past by an inconsistent and often nullifying approach to Indian self-government.

#### HISTORICAL BACKGROUND

When European explorers first arrived in North America they found scores of independent sovereign nations or tribes of Indians with systems ranging from the theocracies of the Pueblos to the highly democratic government of the Iroquois who had developed a constitution that provided, among other things, for initiative, referendum and recall, and the right of suffrage for women as well as men. Regardless of the form of government, Indians understood the meaning of and practiced good citizenship in the context of their own politically sovereign societies.

The right of the tribes to carry on self-government was recognized first by European powers and later by the new

American republic. It was not something conferred upon the Indians. The first contacts between the United States and the original inhabitants of the land were resolved legally by treaties such as those made between any two independent nations. Despite the fact that treaties were replaced in 1871 by "agreements," ratified by both House of Congress, the right to internal political freedom was untouched legally by the new mechanism.

The Supreme Court has consistently upheld this right, beginning with the classic opinion of Chief Justice Marshall in the case of *Worcester v. Georgia* in 1832:

The Indian nations had always been considered as distinct, independent, political communities, retaining their original natural rights, as the undisputed possessors of the soil, from time immemorial, with the single exception of that imposed by irresistible power, which excluded them from intercourse with any other European potentate than the first discoverer of the coast of the particular region claimed; and this was a restriction which those European potentates imposed on themselves, as well as on the Indians. The very term "nation," so generally applied to them, means "a people distinct from others."

. . . the settled doctrine of the law of nations is that a weaker power does not surrender its independence—its right to self-government—by associating with a stronger, and taking its protection. A weak state, in order to provide for its safety, may place itself under the protection of one more powerful, without stripping itself of the right of government, and ceasing to be a state. . . .<sup>2</sup>

Except as the principle contained in this decision has been ignored or infringed by regulation or local interpretation, the right of a tribe to the exercise of self-government still exists. But over the years, as it became evident that it

<sup>2</sup> 6 Pet. U.S. 515 (1832), 8 L. Ed. 483, p. 559-60.



would be impossible to separate the affairs of Indians from those of non-Indians, governmental administration assumed a larger and larger role in the context of a rapidly developing nation, increasingly infringing upon tribal action.

### *Office of Commissioner of Indian Affairs*

In 1832, Congress passed an act creating the office of the Commissioner of Indian Affairs and vested in that office the housekeeping job of "the management of all Indian affairs."

Following the war with Mexico, in 1849, the long-established distinction between internal and external affairs of the tribes was first abandoned in several treaties concluded with tribes residing in the newly acquired territory. The treaty-making period itself came to an end with the close of the Civil War and the acceleration of westward expansion. This, however, did not terminate tribal existence; it merely stated a policy, namely, that the United States would no longer make treaties with tribes.

In 1883, the murder of one Indian by another resulted in the conviction of the offender in a federal court. The decision was later reversed by the Supreme Court which ruled that in an area in which Congress had not legislated, tribal law prevailed. This decision—which seemed to the white American public to let murder run rampant—aroused such indignation that within two years Congress enacted a law which made murder and six other major crimes federal offenses when committed by one Indian against another on a reservation.<sup>8</sup>

<sup>8</sup> *Ex parte Crow Dog*: 109 U.S. 556, 3 Sup. Ct. 396 (1883). Three other major crimes were added in 1932. 47 Stat. 336. This statute is generally known as "The Ten Crimes Act." An additional crime was added in 1956: "Embezzlement of tribal funds."

Perhaps more significant than specific legislation, which curbed internal rights but was at least subject to judicial review, was the establishment of Courts of Indian Offenses in 1884 by the Commissioner of Indian Affairs in compliance with instructions from the Secretary of the Interior. These Courts soon placed reservation superintendents in the position of legislators, policemen, judges, and courts of appeal. The effect of the Department's action was to accelerate the decline of Indian incentive and ability to manage their own internal affairs. The Courts were used to prohibit freedom of Indian religion, the practice of Indian medicine men, and certain Indian marriage customs. Perhaps a low point was reached in the 1894 revision of the regulations which permitted a superintendent to restrict an Indian to a reservation area. Little change was effected in such regulations until extensive revisions were made as a result of the Reorganization Act of 1934.

### *Allotment Act of 1887*

The liberty of participation in internal tribal affairs was further contravened by the Allotment Act of 1887 and the fee patenting of land which followed. This brought a third unit of government—the states—into the picture with resulting confusion in judicial thinking. Land within reservation boundaries which had been allotted to individuals, and thereafter was removed from trust status through granting of individual fee-simple title, appeared to have the status of ordinary taxable state land. In numerous cases during subsequent decades the question of legal authority on such land within reservation boundaries arose to plague Indian as well as federal and state courts.

Throughout the latter years of the nineteenth century and the early decades of the present one, the confusion in

the enactment, application, and interpretation of laws pertaining to Indians seriously obscured their fundamental rights. Federal courts, when called into play, carried out a dispassionate role as legal protectors. Lawmakers, however, frequently responded to power politics, and administrators were impatient of interference in their job of managing Indian affairs as the practicalities of the moment dictated.

In attempting to deal with increasingly complex problems, the greatest pressure brought to bear through the Indian Service was in the direction of assimilation. In 1885, for example, the Annual Report of the Commissioner of Indian Affairs contained this statement:

The Indian is the strangest compound of individualism and socialism run to seed. It is this being that we endeavor to make a member of a new social order . . . to this end we must recreate him, and make a new personality.

The Allotment Act of 1887 tried to accomplish the process of "re-creation" by attempting to change Indian social structure itself.

The implications for the Indians have been well stated by Felix Cohen:

The most basic of all Indian rights (the right of self-government) is the Indian's last defense against bureaucratic oppression, for in a realm where the states are powerless to govern and where Congress, occupied with more pressing national affairs, cannot govern wisely and well, there remains a large no-man's land in which government can emanate only from officials of the Indian Department or from the Indians themselves.<sup>4</sup>

That the vacuum was filled primarily by government authority at the expense of self-development in political acumen

by Indians themselves is pointed out by D'Arcy McNickle:

The fact that almost no mention is made of tribal self-government in the Meriam Report (of 1928), and that it contains no recommendations on this subject, illustrates how completely Indian social organization had been forgotten. . . . Some reservation superintendents, according to Meriam, regarded [tribal] forms of organization half-contemptuously, and in some cases seemed to consider the council rather a nuisance because it served as a forum for agitators.<sup>5</sup>

### *The Indian Reorganization Act*

The Meriam Report did call public attention to the low state into which Indian affairs had fallen during the previous half century. It also helped pave the way for administrative reform culminating in 1934 in the Indian Reorganization Act which carried with it a return to the philosophy of self-determination, the foundation of our democratic system.

The new regime tackled the Indian problem mainly on two fronts, natural resources and human resources, and it underlined the indivisibility of the two. On the one hand, it strove to protect the Indian land base and provide means whereby Indians could take full advantage of their resources and improve them. On the other, it sanctioned Indian tribal societies and their cultures through the encouragement and protection of democratic political institutions, native religions, traditional and contemporary Indian arts and crafts, and tribal organizations oriented toward the molding of rich, strong, free personalities. . . .<sup>6</sup>

The new policy, which sought to curb official interference in tribal functions, is described in the report of the Secretary of the Interior for 1936 with re-

<sup>5</sup> D'Arcy McNickle, *They Came Here First* (Philadelphia: J. B. Lippincott Co., 1949), p. 292.

<sup>6</sup> Laura Thompson, *Personality and Government* (Mexico, D. F.: Ediciones del Instituto Indigenista Interamericano, 1951), p. 8.

<sup>4</sup> Felix Cohen, *Handbook of Federal Indian Law* (Washington: U. S. Government Printing Office, 1942), p. 122.

spect to the regulations pertaining specifically to law and order:

Under the new law and order regulations, Indian service officials are prohibited from controlling, obstructing or interfering with the functions of the Indian courts. The appointment and removal of Indian judges on these reservations where courts of Indian offenses are now maintained is made subject to confirmation by the Indians of the reservation. Indian defendants will hereafter have the benefit of formal charges, the power to summon witnesses, the privilege of bail, and the right to trial by jury. . . . In addition to this criminal jurisdiction, the Indian courts will, in the future, have authority to handle civil cases between tribal Indians.

This effort of the Indian "New Deal" to restore self-determination in local affairs found many tribes confused. They had been so long denied the right to operate their own systems of government freely and openly<sup>7</sup> and to evolve new procedures out of the old, that again they were in the position of being asked to accept names and forms which had meaning to white men but were strange to them. Nevertheless, an impressive number of tribal councils have managed to operate successfully under the new policy; others have been less than effective, or ineffective during particular tribal administrations. A number of tribes voted not to accept IRA at all, preferring to continue under pre-existing patterns of organization, or under patterns which incorporated some of the aspects of IRA policies.

The great failure during the past twenty years has been that the intent

of IRA has not had consistent and vigorous support. As a result, the major goals of adequately revitalizing Indian self-government, permitting it to adapt itself, and eventually bringing tribal systems into full participation in the political life of our democracy, have not been reached.

### *Recent policies of the Indian Bureau*

In 1950, approximately fifteen years after the passage of IRA, a general reversal of philosophy, harking back to the days of the General Allotment Act, began to emerge in the policies and procedures of the Indian Bureau. This is clearly seen in recent efforts to reorient federal responsibility in several ways: by pressure toward complete termination of the federal relationship with Indian tribes; by transfer of jurisdiction and responsibility for former federal services to the states; by such administrative procedures as speeding up sales of Indian trust land and shutting off available federal credit; and by emphasis on relocation to urban centers at the expense of resource development on the reservations.

The most basic right of all self-government, the right to decide questions by vote of the people, has not escaped from administrative interference. For example, the Klamath Tribe, in 1954, protested to no avail when the Commissioner of Indian Affairs not only recognized an unauthorized delegate to Washington, but also forced the tribe to pay his travel expenses; this was done even though he had sought designation as an official tribal delegate and was defeated for that position in a regular tribal election. Similar complaints within the last few years with respect to interference in tribal elections have been registered by the Blackfeet, Yakima, and the Seminoles and Choctaws of Oklahoma.

When tribal and outside interests collide, the right to independent counsel

<sup>7</sup> It is difficult to determine how much of the complex of domestic, civil, and criminal matters had been covertly regulated by tribal systems without official sanction during the earlier years. Very little research has been devoted to this aspect of Indian affairs. See David H. French, *Factionalism in Isleta Pueblo*, "Monograph of the American Ethnological Society," No. 14 (New York: J. J. Augustin, 1948).

becomes crucial. This right came under attack in 1950, when a more stringent set of regulations governing tribal attorney contracts was proposed by the Indian Bureau. However, the opposition of the tribes, interested citizen groups, and the legal profession (including the American Bar Association) was so strong that the new regulations were dropped.

The current struggle of California and Arizona over water rights illustrates how conflicting the interests of Indians and non-Indians can become and points up the necessity of full right to independent counsel. In a suit brought by Arizona, the Attorney General of the United States intervened in behalf of all affected tribes in discharge of departmental duty to represent Indians. However, it immediately became apparent that a conflict of interest existed, as is demonstrated by the motion filed on behalf of the tribes with the Supreme Court (no. 10, October Term, 1956), wherein the attorneys for the tribes argued that:

The United States has intervened in this case and has placed the rights of petitioners in issue. As a result petitioners are precluded from asserting their rights in their own names and on their own behalf. They have no control over the course of the suit, no voice in its direction and no right or opportunity to participate in the formation or trial of the issues. It can waive or compromise their rights, fail to prosecute them in full or in part, allow them to go by default, or fail to assert essential contentions.

### *The franchise*

Before turning to current participation in political affairs, one final aspect of the historical picture must be touched upon briefly—that of the right of Indians to the franchise.

Suffrage was not universally available to Indians until long after the Four-

teenth and Fifteenth Amendments had become part of the law of the land. Prior to 1924, when the Citizenship Act was passed, many Indians had acquired the right to vote by having accepted allotments, by special dispensation such as service in the armed forces, or by giving up tribal affiliations and entering the mainstream of American life.

In 1924, all native-born Indians were declared citizens, but those born outside the country still had no naturalization procedure open to them until the Nationality Act of 1940 provided for it. But due to the constitutional relationship between the states and the federal government, the right to vote derives from the several states, subject to the limitations of the Fourteenth and Fifteenth Amendments and guarantees in the Constitution. As late as 1938, seven states still refused to let Indians go to the polls.

The justification for this discrimination, contained in state statutes or constitutions, rested upon (1) Indian exemption from real estate taxes, (2) Indian maintenance of tribal affiliation, and (3) the mistaken notion that Indians were under guardianship by virtue of the fact that Indian lands were under federal trusteeship. In 1948, following court rulings in New Mexico and Arizona, it was considered settled everywhere that Indians, whether or not they live on reservations, whether or not they pay taxes on part or all of their land, are in exactly the same position with respect to voting as non-Indians. However, in 1956, to defend the denial of the ballot to a registered Indian voter, Utah revived a statute adopted in 1897 (par. 11, Sec. 20-2-14, Utah Code Annotated, 1953) which dealt with registration and voting. This statute states in part that:

Any person living upon any Indian or military reservation shall not be deemed a

resident of Utah within the meaning of this chapter, unless such person had acquired a residence in some county in Utah prior to taking up his residence upon such Indian or military reservation.

In an opinion rendered by the Supreme Court of Utah in December 1956, the Court took great pains to establish that reservation Indians, as a group, occupy a status distinctly different from other residents of the state. The state's argument that all an Indian has to do to qualify to vote is to establish residence where his living is not supervised by the federal government, to assume his responsibility as a citizen by paying land taxes, and to overcome his "lack of interest" in the affairs of the state which surrounds him, is in direct contravention of the principle of self-government and the right to full political participation by a citizen. It asks Indians to break up their communities, where voting on local issues is a fundamental method of deciding group opinion in matters of common interest and concern.

Even as these words are written the Utah Legislature is deciding whether or not to revise its statutes. Pending the Legislature's action, an appeal to the United States Supreme Court, taken by the Ute Indians and the National Congress of American Indians, is being held in abeyance.

The vigor and independence which characterized Indian societies prior to European settlement gave way under governmental administrative procedures to a state which has often been described as one of suspicion, apathy, and dependence. Despite this history Indians have made remarkable strides in the last decade. Participation in two world wars both in the armed services and in war work, experience under IRA, and the more favorable state of the nation's economy, which has provided increased job opportunities, are among the

factors which have combined to give Indians a new perspective. These factors have also revived Indians' courage to appreciate their own capabilities and needs to organize and to begin to act more effectively in their own behalf.

#### INDIAN POLITICAL PARTICIPATION TODAY

The foregoing has been offered to aid in understanding current Indian political life. Against this background let us consider how and to what extent Indians do share in national, state and local political matters.

#### *The Armed Services*

Indians have assumed without hesitation the natural obligation of a citizen to defend his country. So far as military duty is a mark of good citizenship, so Indians have excelled. In the case of many tribes, the stereotype of the Indian chief, or warrior, can here be taken seriously, since war service was an established pattern of culture.

The high proportion of enlistments as against draftees has been noteworthy during both World Wars. A newspaper article appearing in the Philadelphia *Public Ledger* on September 29, 1918, reported that of the Indian population of 336,000, less than ten per cent of whom were male Indians of military age, "more than 6,000 were in the United States Army, of whom 85 per cent volunteered for service. There are some hundreds more in the United States Navy."<sup>8</sup> Altogether, over 17,000 Indians saw service in that war.<sup>9</sup>

Indian participation in World War II was even more extensive and ranged far

<sup>8</sup> Quoted in *Indians at Work*, Vol. 9, No. 7 (Washington: U. S. Department of the Interior, March 1942), p. 31. The article also pointed out that of all Indians, only 30 per cent could read and write English and less than half were citizens.

<sup>9</sup> Cohen, *Ibid.* (note 4 *supra*), p. 161.

beyond service in the fighting forces. Over 30,000 engaged in war work at home and far from home, while the purchase of bonds was as established a practice among Indians as it was among the public at large.

The Indian Bureau reported in the Spring of 1945 that approximately 22,000 Indians were in the Army, 2,000 in the Navy, 120 in the Coast Guard and 730 in the Marine Corps.<sup>10</sup> Their valor in battle fronts from Iwo Jima to Salerno earned for them seventy-one Air Medals, fifty-one Silver Stars, forty-seven Bronze Stars, thirty-four Distinguished Flying Crosses, and two Congressional Medals of Honor.<sup>11</sup>

The principle that tribal and national political participation by Indians can be coexistent was illustrated during the war in the experience of a small group of Papagos residing in the extreme southern part of their Arizona reservation. Although nearly all of the Papagos registered under the Selective Service Act, this group decided that the far-off war was not its concern and forcibly ejected the federal marshal who came to investigate. Instead of prosecuting the aged chief, government officials took him to the West Coast as a guest of the Army in order that he might see something of the war effort of his white co-citizens. As a result of this effort to improve understanding, the Indian leader thereafter enthusiastically supported the enforcement of the Selective Service Law.<sup>12</sup>

Still another example of the willingness of Indians to be part of America's future occurred in the same tribe, which sacrificed 400,000 of the best acres of

its homeland to the Army Air Force in 1942.

"If the Army thinks it will help to win the war," said the tribal chairman speaking to the Air Force representatives, "it can have it. It can have whatever our tribe owns, if that is necessary."

When the officers brought up terms of compensation, the Chairman put the matter to his council and the response was instantaneous: "We ask nothing. Whatever the Army wants to pay will be satisfactory."<sup>13</sup>

### *Voting*

In recent years, Indians have made great strides toward fuller awareness of their own best interests and the clear and forceful defense of them.

One expression of this can be seen in the voting record of Indians in the 1952 and 1956 general elections. Although it has been impossible to obtain a complete picture, scattered returns available show an unmistakable trend.

In 1952, nine of the nineteen pueblos in New Mexico had no registered voters. Rumor had been spread among the Indians that their lands would be taxed if they voted and that punishment threatened any man who made an error in marking his ballot. But in 1956, after a voter education program, only two pueblos still clung to their traditionally conservative attitude toward voting, while three achieved 100 per cent registration. A comparison of registration among the pueblos for the two years reveals the following:

Eligible voters registered (per cent)	Number of pueblos	
	1952	1956
0-10	14	7
11-50	2	7
over 50	3	5

<sup>10</sup> The total number represents slightly more than 1/8 of the reported number of able-bodied Indian men from 18 to 50. The figures do not include officers, for whom no statistics are available. (From data provided in a letter, Bureau of Indian Affairs, January 18, 1957.)

<sup>11</sup> *Ibid.*

<sup>12</sup> Theodore Haas, "Indian Uprising—New Style," *The Survey*, Feb. 1949.

<sup>13</sup> From *Indians at Work*, Vol. 11, No. 4 (Washington: U. S. Department of the Interior, Nov.-Dec. 1943), p. 17.

The per cent of all voters registered increased from less than 8 per cent to more than 24 per cent in the two voting years.<sup>14</sup>

Between 1952 and 1956, there was an average increase in voting from 31 to 37 per cent for one Montana tribe, one South Dakota tribe and two Washington tribes.<sup>15</sup>

In 1952, approximately 3,000 Navahos of voting age in both Arizona and New Mexico were registered to vote, while 4,606 Navahos actually voted in 1956. It is worth noting that 3,730, or 81 per cent, of the Navahos who did vote resided in New Mexico whereas only about 40 per cent of the tribe are inhabitants of that state. This comparatively high vote, relative to population, derives partially from the encouragement extended to potential voters by the state, from the establishment of additional voting precincts, and the assistance rendered by country officials to Navaho voter education. In addition, New Mexico, unlike Arizona, does not require a literacy test for voting eligibility.<sup>16</sup>

#### *Indian vote as decisive factor*

In some districts and in close races the Indian vote could be—and in some cases has been—a decisive factor in Montana, Idaho, Colorado, Washington, Oregon, North Dakota, Utah, Minnesota, Nevada, and Alaska.

In Montana the Indian vote could have been a decisive factor in the close election of Senator James Murray in 1954, who won by only 1,728 votes. In 1952, the seven tribes in Montana had

9,681 members of voting age, of whom 4,414 were registered to vote in the general election.

Senator Frank Church of Idaho won his primary election in 1956 by only 170 votes. According to the Chairman of one of the small tribes in that state, almost 100 per cent of the eligible voters on his reservation went to the polls and accounted for about 180 votes for the candidate.

The Indian vote could have been decisive in the 1952 election of Congressman Wayne Aspinall, Colorado, whose victory by a margin of twenty-nine votes was contested in a precinct where Indians held the balance of power.

An Indian issue which weighed heavily, and perhaps decisively, in the 1956 election of a member of Congress was the Presidential veto of the \$5 million settlement granted by the Eighty-fourth Congress to the Crow Tribe for the Yellowstone dam site. This Congressman won the election by 2,641 votes, whereas he lost to the same opponent in 1954 by 1,628 votes. The counties where the dam was an issue reflected most of the shift in the voting.

Legislators from states with significant Indian populations agree that their Indian constituents are an effective voice in making known their opinions and needs. It is significant that some 300 bills presented to each Congress are of concern to Indians, and many private groups, in addition to the Indians' own tribal, intertribal, and national organizations, act quickly to help tribes protect their interests.

Comments by Congressmen in recent correspondence with the writer point up the increasing effectiveness of tribal spokesmen in making clear their wishes to lawmakers.

They are an effective voice in legislation which concerns them and make their needs known by writing and paying calls in per-

<sup>14</sup> John C. Rainer, "Report on New Mexico Citizenship Project" to Arrow, Inc. (Washington, December 1956), p. 13.

<sup>15</sup> Information received by writer from tribes, December 1956.

<sup>16</sup> Report on New Mexico Citizenship Project; House Report No. 2680, Eighty-third Congress, Second Session, September 1954, pp. 187-249.

son, even to coming to the Nation's Capitol.

—Warren G. Magnuson, U. S. Senator  
(Washington)

It would seem to me that Indians have become politically minded because everything they have ever accomplished or anything they have worked for has been done through the government. . . . The Indians are becoming more effective in this respect [and] I have been impressed by appearances made by Indians before Congress. . . . Their numbers are not great compared to other [groups] but I have found their interest in political affairs to be quite lively. As I have said before, they have been forced to express themselves through political channels. . . . I think that their political effectiveness would be greatest, relatively speaking, in an election for Representatives in Congress.

—Edward Thye, U. S. Senator  
(Minnesota)

The tribes in my district are a most effective voice in legislation which concerns them. I have made a practice to meet with their tribal councils and with their leaders each year. From these meetings, I have learned much of their general outlook on matters important to them and also profited from the expression of viewpoints on specific legislation.

—Wayne N. Aspinall, Member of  
Congress (Colorado)

The Indian people are very definitely an effective voice regarding legislation which concerns them. Probably one-third of my mail is from Indian people primarily from my Congressional District, but a large amount of it is from those outside of my district.

—E. Y. Berry, Member of Congress  
(South Dakota)

As near as I can ascertain, substantially larger numbers of Indians have registered and voted at each subsequent election. I think I can safely say that the Indian vote is now courted by most candidates and spokesmen for both political parties.

—Stewart L. Udall, Member of  
Congress (Arizona)

Our Indian people have been very effective in making known their views on legislation, through their tribal chiefs, through tribal councils, through direct personal correspondence, and by sending delegates to Washington.

—Ed Edmondson, Member of Congress  
(Oklahoma)

### *Influence on Indian vote*

It seems safe to say that Indians vote for or against a man or a party because of his or its action on some Indian bill of vital importance to them. For example, it would appear that Indians of Idaho worked hard and voted generally for the new Senator, Frank Church. The one exception was a tribe which had been greatly assisted by the former Senator, Herman Welker, in securing the passage of a bill important to its welfare. On the other hand, a tribe in South Dakota and one in Arizona, previously heavily Republican, showed their disapproval of recent Indian policies by recording 2 to 1 and 8 to 1 votes for the other party.

There is no doubt that Indian political participation in state and national affairs has lagged in large measure because of lack of communication, knowledge of issues and candidates, experience in the mechanics of voting, and effective organization. The greatest factor in getting Indians to the polls has been the development and growth of their own organizations, tribal and intertribal, and finally of the National Congress of American Indians. These groups have been able to interpret the issues confronting Indians, to offer information about candidates, and to explain the mechanics of voting.

Organization is the Indians' best hope of having some part in determining their own future and in continuing to exist as Indian tribes in a nation committed to a philosophy of respect for cultural differences. The Indians are their own



best spokesmen, their own best diplomats; but they can exercise these roles effectively only in proportion to their opportunities to exchange information and to use their combined strength and their concerted voice.

This thought was expressed by Congressman Lee Metcalf, Montana, speaking to the NCAI Thirteenth Convention in Salt Lake City, September 1956.

It is heartening to me to know that an organization like the National Congress of American Indians exists and functions. If no such body were in existence the Indians of the United States would be faced today with the necessity of bringing about the formation of an equivalent representative organization. . . .

In my first term in Congress I saw the Indian people and their property under the most persistent and serious attack, and the ironic and tragic aspect of this attack is that in most cases, I believe, it was based on good intentions with the presumed interests of the Indians at heart.

I have watched the attack go forward and it has disturbed me greatly. In this complex field where everybody is an expert and yet no one is really expert, any attempt to put forward a simple, easy solution must be viewed with misgiving.

### CONCLUSIONS

1. The Indian tribes in North America had a prior history of effective self-government when Europeans arrived on this continent. That their right of self-government was inherent was recognized first by the European powers and then by the government of the United States.

2. Indian self-government continued to operate even though at times the

tribes' powers were usurped by administrative officials; however, the act of usurping tribal powers did not destroy the tribes' powers to act.

3. Indians have a superior record of citizenship as expressed by the quantity and quality of their services and contributions to the war efforts. There has been no evidence of disloyalty among them. A few have sought and held national, state, and county offices and served on juries—creditably. They pay all the taxes other citizens pay, except the tax on those of their lands which are held in trust. This freedom from United States taxation was something that the tribes reserved to themselves rather than had granted to them—and for it they gave considerations to the United States of immeasurable value, namely, great cessions of land and resources and cultural contributions.

4. Although a very small proportion of our population viewed as a whole, Indians are growing rapidly in numbers. Accompanying this trend, Indians are also growing away from exclusive identification with their own tribal groups and toward a broader consciousness of their affairs regionally and nationally.

5. In the last decade, with the upheavals caused by widespread Indian military service in World War II and renewed attacks on Indian rights and property, state and regional intertribal councils are organizing and strengthening; a national Indian organization founded in 1944 is now functioning effectively and appears to be permanently established; and startling increases in registering and voting were recorded on many Indian reservations in 1956.

# Religion Among American Indians

By RUTH UNDERHILL

**Abstract:** The primitive religious ideas of the American Indians, their ritualistic forms, their social function, and their chief practitioners are described in this article. The persistence of these ideas and the manner in which they affect the Indian's acceptance of the white man's ways are illustrated. Special attention is paid to the rise of the Peyote Cult and its development into the Native American Church, which appears to be a transitional institution ultimately leading to the acceptance of the white man's religion.—Ed.

THE American Indian of pre-Columbian days, at least the male, spent much of his time and effort in activity involving the supernatural. With little knowledge of natural science or medicine, with small acquaintance with other peoples outside a few neighboring friends or enemies, a large section of his world was unknown, mysterious, and, possibly, threatening. His techniques for dealing with this unknown, which he conceived as supernatural, I shall speak of as religion.

Few groups had any consistent theology. Their interest was in action which would secure health and prosperity and protect them from danger. Explanations of the spirit world for the average man might be fragmentary and even contradictory, although, as Radin has pointed out, there was usually a group of thinkers who strove toward greater consistency and understanding.<sup>1</sup> Nor had the spirit world much connection with ethics. It is true that in advanced cultures like that of the Pueblos and their pupils, the Navahos, there was an emphasis on peacefulness for those engaged in religious activity. Even there,

<sup>1</sup> Paul Radin, *The World of Primitive Man* (New York: Henry Schuman, 1953), pp. 37 ff.

however, such offenses against society as murder, theft, lying, greed, adultery and so forth were dealt with by the family or council. Only when a group became so large and mixed that these local agencies lost their effectiveness did the priest take over with his threat of supernatural punishment. Such a situation was rare in any group north of Mexico. The spirits did indeed punish, but not for what a modern would call sins against society. What drew their wrath was a breach of taboo, such as failure to perform a ceremony correctly or disobedience to ceremonial rules concerning a mother-in-law or a woman in childbirth. Such emphasis on ceremonial regulations is a familiar stage of religious development, long known in the Old World.

## PRE-COLUMBIAN RELIGIONS

In sketching the religious attitudes of Indians in North America, I shall use the past tense. It is true that many of these attitudes and usages developed from them are still in force. However, many have been given up and many have changed, either in historic times or recently. Therefore, my attempt in the first part of this paper is to outline early religious attitudes. One may see

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that even through changes, much of their essence has persisted.

### *Mana and taboo*

Most Indian religious attitudes have worldwide counterparts, and some seem so fundamental that they may have been brought by the first paleolithic immigrants. Among these are the concepts of mana and taboo.<sup>2</sup> The Melanesian word mana has been standardized by anthropologists to refer to a widespread primitive belief in some invisible force pervading the universe. It can be focused on any object, animate or inanimate, endowing that object, for the time being, with supernatural power. Sacred places, objects used in ceremony, or human beings under certain circumstances can be imbued with this power. The Siouan word *wakan*, the Iroquoian *orenda* and the Algonquian *manitou* all refer to it, and many other tribes have the concept if not the name.

As a corollary, the focus of power was dangerous to one not in a sacred state. This is the familiar concept of taboo which is as worldwide as that of mana. It regards the focus of power as untouchable, not because it is unclean, but because it belongs to the supernatural world with which contact may be dangerous. To meet the situation, an age-old technique has been developed whose remnants are visible even among modern people. Briefly, it requires that anyone who has been in contact with a supernatural power, either voluntarily or involuntarily, must negate the danger by withdrawing both from human society and from bodily activity. As interpreted by various Indian groups, this can mean seclusion; fasting; abstaining from speech, sleep, looking at the sun or at fire, touching the head (the most

important part of the body), or touching the lips with water.

### *The life crises*

This technique, in whole or in part, was used by many Indian groups at the life crises of birth, puberty, and death. These were occasions when an uncontrollable biological event swooped in to affect human life. Those under its influence were considered subject to supernatural power, and they practised the techniques which would keep them safe and also keep others safe from them. Such an attitude was found most often in the food gathering and hunting groups where organization was simple. With agricultural groups, who had a wealth of ceremonies, the seclusion rules, especially those for women, were often obscured or omitted.

Here we must differentiate between girls' and boys' puberty. The acknowledgment of maturity for boys, as we shall see below, is usually accompanied with ordeals and initiations undertaken on the boy's own initiative. A girl's puberty, without any effort on her part, fits her to perform the miracle of childbirth. The menstruant and the parturient are considered under such strong supernatural influence that, unless they withdraw, they would be in danger themselves and would certainly bring danger to men. This attitude is particularly true of the hunting and food-gathering groups. On the Northwest coast, a girl's withdrawal at puberty might last for months and might include the use of a scratching stick and drinking tube to avoid touching hair or lips. With some California groups, as in parts of South America and the Basque region of Europe, the husband was considered so intimately connected with his wife that, after childbirth, he, too, must abstain from action.

There is no theology involved in this behavior. No priest or medicine man

<sup>2</sup> See among others, Rafael Karsten, *The Origins of Religion* (London: K. Paul, Trench, Trubner & Co., 1935), pp. 30-31, 66.

needs to participate, for the so-called purification which sometimes follows seclusion does not always take place. Various statements are made as to diseases or misfortunes which may follow if the woman fails to withdraw, but they are not always the same. They seem to belong to an elementary system of magic unconnected with the spirit world. They coexist with various ideas about gods and spirits and are unconnected and unexplained.

With some older Indians, these ideas about women's seclusion are still in force. One reason for their fear of hospitals is the fact that the white nurses are known never to seclude themselves. A male patient cannot tell when they may be spreading supernatural danger. Even converts to Christianity find the taboo hard to forget. I remember a young woman who refused to teach her Sunday School class during her periods because of danger to her boy pupils. I also remember a man with important matters to put before his local council who could not attend because his wife had just given birth.

Withdrawal in some degree was practised by the bereaved after a death, and sometimes by enemy slayers, murderers, even whale killers. Here there is an explanation. There is danger from the soul of the departed which either wishes to take a loved one with it for company or to injure its killer. Here is the beginning of a theory about the supernatural which is different from the pure magic of the restrictions at childbirth. It seems possible to me that, early though such theories are shown to be, the withdrawal at childbirth, unconnected with any spirit, may antedate them.

### *The spirits*

A belief in spirits and a purposeful attempt to conciliate them is found in every Indian tribe. Spirits of the dead,

just mentioned, did not play the all-important part sometimes found in the Old World. True, some far western tribes imagined them as stealing the souls of the living and so causing illness. A few thought of them as acting the part of guardian spirits, and others conceived of them as reincarnated in children. As a rule, it was thought that the average dead person existed in the afterworld only until the last person who remembered him on earth was gone. A few might be elevated to powerful spirits or gods.

This afterworld was a shadowy place to which both good and bad went indiscriminately. Days of withdrawal were often observed by mourners or corpse handlers while souls were supposedly on their journey thither, and they were supplied with food for this journey. Some tribes also supplied their dead with goods to keep them contented so they would not return. To this end, too, their dwellings were often destroyed and their names never mentioned. This belief and practices cause difficulty for Indians in going to hospitals, for many have died there, but the building stands replete with supernatural danger. They also make it difficult for white men taking census because names of the dead must not be mentioned.

Other spirits were those of animals, plants, and natural phenomena. To most Indians, there was no sharp dividing line between these and human beings. The Sioux spoke of all living things as the two-leggeds, the four-leggeds, and the wingeds. All these had life and must be treated as fellow beings. So must even the plants and Mother Earth who bore them. A Comanche on being urged to plow and reap objected: "Shall I stab my Mother's breast and cut my Mother's hair!" True, agricultural tribes did dig the earth, but usually they had a tradition of a supernatural visitant, perhaps the

corn plant, which had bidden them do so. Every act connected with planting was a religious ceremony. Every wild thing, too, was treated with consideration. The Papago woman asked permission of the plants which she plucked for basketry. The Zuni apologized to the deer he killed.

Although it is hard to reconcile this attitude with the life of the hunter who killed for a living, there was a saving explanation. The plant or animal eaten was only an outward form assumed by an immortal spirit. When that was consumed, the spirit returned to its home. If it had been well treated, by way of ceremony and proper disposal of the remains, it would return in a new dress to serve man again. To this end, seal bladders and salmon bones were thrown into the sea, so that they might return to the seal and salmon villages. Deer horns and buffalo heads were kept in a sacred place. The various "first fruits" ceremonies for plant and animal foods were an example of respect shown to what must be used.

Sometimes mana was thought to be concentrated in a particular representative of a genus; the Algonquians believed in an Owner for each sort of animal. On parts of the Northwest coast, the belief was that the animals, which were so much better able to get food than primitive man, had once owned the earth. They had their present characters but could take human form when they wished. In fact, they can do so still, and thus they appeared to fortunate visionaries. A number of tribes believed that an animal was either the ancestor of a human group, married an ancestor, or magically assisted him. Such totemism might result in clan names, clan functions, sometimes a prohibition against eating the animal as with the Yuchi of South Carolina, or a ceremony involving it as with the Hopi Snake clan. However, there were also

kin groups without totemic connections. Nor was it always true that a group with one animal patron must not intermarry. An animal might be the creator of a whole tribe, as the coyote was with the Miwok of California. It might be a culture hero or a trickster-transformer, like the hare with the Winnebago or the raven with the Tlingit. In fact, the word "totem" cannot be used in America without a careful definition of the concept as used in the group concerned.

Animal spirits appeared in some form in almost every Indian group. In addition, the more organized peoples imported or devised anthropomorphic concepts like the War Gods and Kachinas of the Southwest or the False Faces of the Iroquois. A few horrifying beings appeared like the Cannibal Spirit or the Windigo of the North Woods. (Has the gloom of the forest anything to do with this sort of imagination?) As a rule, there was no sharp division between good and bad forces as is found in monotheistic religions. To use the well-known simile of the electric current, power was thought to harm or benefit according to the channel through which it passed. Thus, the same shaman, according to his attitude, could dispel a disease or use it to kill. A Guardian Spirit helped as long as proper behavior was observed toward it. If not, it might injure or kill its protégé. Occasionally, there is mention of a bad or deceptive spirit, but this concept was a vague one. Nor is there any proof of a High God, keeping the spirit world in order. Certain beautiful expressions occur, such as the Algonquian Great Spirit and the Creek Master of Breath. These generally turn out to have been very limited concepts, either of a distant creator who later ceased to function or merely of a spirit higher than the others.

The spirits were approached in two

very different ways and were closely connected with the economics of a tribe and its degree of organization. The two ways are vision and ceremony.

### *The vision*

Across the northern part of North America stretched an area of hunting peoples. They lived for most of the year in seminomadic small bands with little organization and little chance for large assemblies. Much of the time, the hunter faced his dangerous task alone. His need was for health, courage, and luck for himself, but the fate of others hardly concerned him. In this area the individual male sought a vision which would assure him of the luck phrased as spirit power.

The vision took numberless forms among the different tribes and was sought under varying circumstances. With the Woodland Algonquians of the East, the Salish of the Northwest and some Plains tribes, it was sought at puberty. Here, every boy (and a few girls) hoped for supernatural help to guide his career and ensure success. To that end he practised seclusion and fasting, sometimes repeatedly, but *before* the supernatural experience, not after as with women. Sometimes he added ordeals to gain the spirits' pity and show his courage. In fact, this was a religious ritual based on a definite theology, not a blind observance of taboo. It served as a substitute for boys' initiation ceremonies, rare in North America.

The puberty vision followed a standard form for which the boy was well prepared. An animal appeared in its human guise and took him to its village in the forest or under the sea or perhaps delivered instruction on the spot. This consisted of a song to be used when power was needed and usually a fetish which was given or which he must find or make. With the fetish went a rudimentary ritual which must

be followed on pain of losing power or being injured by it. Even an unimaginative youth was likely to achieve such a vision after repeated trials. Often he had some supervision from an older man or a whole group of them. If his hallucination was not of acceptable form he was likely to be told: "That was a false spirit. Try again."

After the puberty vision, the boy went into an apprenticeship to realize the promised power. He did this with an absolute conviction of success and an image of himself as one favored by the spirits. This was a potent incentive to success. It was just possible that in such an arduous occupation as whaling, he might fail in spite of this psychological help. In that case, there was no distrust of the spirits. He decided or was told that the vision coming to him had been an evil spirit in disguise. We can hardly overestimate the value of this vision experience at a time when a boy's character was being formed. The lack of it in boarding schools seems to me to have been one cause of Indian demoralization. To an Indian with culture history so different from the white culture, the Hebrew-Christian teaching rarely provided a substitute.

With the Woodland Algonquian the voluntary, strenuous vision quest ceased after puberty, but on the Plains it was carried on much later. In the Sun Dance of the Dakota and Mandan, mature men were tortured in a group in expectation of a vision to come. Individuals, at other times, practised seclusion and torture for added power. In other Plains tribes, men, at least, prayed and fasted when special help was needed.

This idea of supernatural help through revelation has much in common with Christian concepts. Some Christian teachers have, indeed, built on it, only suggesting that the direction of power be changed from success in war or hunting, now inessential, to success in

righteous living. Most have insisted, however, often without much study, that all the old practices be swept away. As a response the Indians, particularly in the Plains area where the vision was prominent, have worked out their own combination of vision and ethics. The resulting Peyote religion will be discussed below.

Going west and south from the Plains and the Plateau Salish, the vision experience becomes less strenuous. It might even arrive unsought. In a large area including the Great Basin and much of California, even some of the Southwest, it came as a dream in sleep. A Mohave of southern California found himself on the sacred mountain at the beginning of the world and learned a power like scalping or the right to sing a clan song from the lips of the creator, himself. Luisefio boys in California had visions in a group, under the influence of a drug, *datura*. Along the Pacific coast, beginning in northern California, spirit power may come unsought (although not always) and even unwanted. One is reminded of mediums of eastern Asia and the Pacific by the way in which the recipient of power is temporarily affected with either illness or madness. Here the power is less often an animal than the wealth spirit, or the war spirit. With the Kwakiutl of Vancouver Island, the whole power concept is reduced to a dramatic show and a means to prestige. A highborn boy pretends to be kidnapped by the Cannibal Spirit and returns, pretending madness. Lowborn people were not expected to have visions.

### *The shaman*

The medicine man, or shaman, was the arch visionary. I define such a person as one whose powers came from direct contact with the supernatural, rather than from inheritance or memorized ritual. True, it is impossible to

make a clearcut distinction for often the son or relative of a shaman was thought to have a better chance of inspiration than others. Also, his predecessor might teach him some of the sleight of hand which sometimes accompanied exhibitions of spirit power. According to the area, power was obtained, just as it was for the average man, either through quest and ordeal, or often unsought through dreams in sleep. The difference was that the shaman's experience was more prolonged and often more strenuous. Sometimes he had several spirits, providing different powers.

The chief function of the shaman was curing. Here he used a method so ancient and widespread that it may well have been brought over by some of the earliest immigrants.<sup>3</sup> This method rests on the belief that illness is caused by an intrusive object, such as a worm or a stick, shot into the body by some malign influence. The shaman sucked out the object, sometimes varying his process by rubbing, smoking, and blowing. Then he exhibited the object to spectators. Shamans were frequently accused of sleight of hand in this process. Still, I can testify that many actually believed in their power and felt that a few tricks were necessary drama for the ignorant. Granted what we now know of psychosomatic medicine, the faith generated in the patient by the shaman's procedure may have had real therapeutic value.

A less widespread belief about disease and its removal was that of spirit possession. Here the shaman actually exorcised an evil spirit and sent it away. Another belief, found chiefly around the Pacific coast, was that illness was caused by the loss of the patient's soul which had strayed or had been spirited away

<sup>3</sup> Forrest E. Clements, *Primitive Concepts of Disease*, "University of California Publications in American Archaeology and Ethnology," Vol. 32, No. 2 (Berkeley: University of California, 1932), pp. 209-16, 213-19.

to the land of the dead. Special practitioners, sometimes in a public ceremony, made a trip to the other world to retrieve the soul. Among the Eskimo, as on the east coast of Asia, shamans dramatized a flight to the moon or to another spirit world.

The shaman's function proliferated, especially in the West, where there were war shamans, weather shamans, bear shamans, and snake shamans. Some were merely diviners, foretelling the future or selecting curing practitioners. This last function was necessary where a number of different curing methods had accumulated in one area. In some form or other, the shaman existed in almost every North American tribe. With the agricultural Hopi, who had ceremonial means of curing, he was reduced almost to disgrace. With the Zuni, he was given the aegis of a society. His curing function had such appeal for the average man that the shaman may often be found in a tribe which has given up most other native practices.

### *The communal ceremony*

Standardized ceremonies, at regular dates, required certain conditions. The simplest was that it must be possible for a large group of people to gather and be fed. This was impossible for hunters and food gatherers at most times of the year, since such a gathering would frighten the game animals and use up the wild plants. Second, the people must all have a common interest, so that they all sought from the supernaturals one and the same boon. This, too, did not apply to hunters, except when there was a herd of animals to be surrounded. That was the case when the Southern Paiute held their yearly antelope drive or a Plains group its great buffalo hunt. On each of these occasions, there was a standardized ceremony, although much of the Sioux Sun Dance, it is interesting to see, consisted

of a vision quest pursued by several men in company.

The groups whose chief contact with the supernaturals was through standardized ceremony were the agriculturists. True, they retained many elements of the visionary and shamanistic belief, since they had, at some time, lived the hunting life. However, their needs were now different. Much of their work in the fields was co-operative, and the individualistic attitude was not useful. Moreover, the rain or sunshine which they needed must come to all alike. For them, a communal appeal to the spirits was the natural thing. The spirits, too, were new ones, having to do with weather and agriculture. It seems possible that they and their accompanying ceremonies were imported along with the magic-working plants they fostered.

Wherever the ceremonies were worked out, they had a good deal of resemblance to the ritual imposed by a spirit on its individual protégé. In its simplest form, this meant a song and the honoring of a sacred object. However, as the place of ceremony remained the same, sacred objects could be elaborated into masks, costumes, images, and even theatrical properties like the Hopi snake at Palilukonti. The song could be expanded into a whole suite of songs and dances. The same officiants could be used from year to year. These tended to standardize the ceremony, learn it by heart, and transmit it to successors.

### THE PRIEST

Such a ceremonial officiant I shall call a priest. True, his ritual had a supernatural source, but often it was thought to have been dictated by the spirits long ago, and his present duty was merely to follow it without error. However, he handled sacred paraphernalia and therefore must practice some



form of withdrawal, at least seclusion and fasting. The Pueblos, at least, brought in ethical considerations by demanding that he should have only peaceful thoughts. The priest and the shaman were two separate functionaries, often practicing in the same society. However, the line between them might be blurred, the shaman developing a little ritual, the priest supplementing his ritual by vision.

### *The ritual form*

The most usual rituals were often for the sake of weather and crop growth. For the latter, there might be two or three rituals, corresponding to the life crises of birth (planting); maturity (green corn) and death (harvest). Others were special pleas for rain, rituals to help or to celebrate war raids, and pilgrimages to obtain blessing—the Papago salt journey or the Pawnee Hako and great ceremonies “to keep the world in order.” Ceremonial officiants can also cure, but in quite other circumstances than those that call for the shaman. They treat afflictions arising supernaturally from breach of taboo generally connected with a ceremony. The cure consists in performing the ceremony, or the injured part of it, correctly; thus erasing the error. The famous Navaho chant, which is a curing ceremony for an individual, comes partly under this head. It is performed with memorized ritual, on a Pueblo pattern, by a priest for a patient who is thought to be “out of harmony” with the world. However, the myth behind it involves visits to supernatural animals in their villages, in the northern hunter’s style.

Each tribe had its own series of ceremonies and its own fostering spirits, often those of the plants themselves. There is not enough space here to name all the ritual acts worked out, but they fall within a large common framework.

This included purification of the participants, which might mean all those present or only officiants. It might be by a sweatbath, as with the Sioux; vomiting, as with the Navaho and Creek; or confession, as with the Iroquois. There were offerings to the spirits: tobacco, food or, in the Southwest, the feathered wands called prayersticks. There was little blood sacrifice. Individual Plains Indians sometimes cut off a finger to gain the spirits’ pity. A dog was ritually killed and eaten by some tribes, and the Pawnee killed a human captive to help the crops. The concept of vicarious sacrifice in Christian belief seems, therefore, strange to many Indians.

Other concepts not usual in the communal ceremonies are those of humility and worship. The ordeals of the individual vision seeker, as I mentioned, are sometimes phrased as appeals for pity. In the communal ceremonies, the atmosphere is more often that of a bargain between respected allies. The priest, having performed his ceremony and made his offerings without error, expresses his confidence that the spirits will give man the rain and crops he needs.<sup>4</sup> In spite of these differences, thousands of Indians are now members of Christian churches. It is interesting to see which sects have proved congenial to the different tribes—Catholics to the Pueblos, Presbyterians to the Pimas, and Quakers to the Iroquois. Granted that historic opportunity had a good deal to do with the case, still, the Pueblos were already given to pageantry, the Pimas to a town-meeting style of discussion, and the Iroquois to a dream dictation very much like that of the “inner light.”

<sup>4</sup> For details see Ruth M. Underhill, *Ceremonial Patterns in the Greater Southwest*, “Monograph of the American Ethnological Society,” Vol. 13 (New York: J. J. Augustin, 1948).

### POST-COLUMBIAN RELIGIONS

The coming of the whites brought successively a period of frustration and insecurity to various Indian groups. As has happened all over the world, this usually meant a religious revival and the leadership of some seer or prophet who preached a solution to their problems. In the early days, this solution was simply a return to the old ways with abstinence from all food and equipment which came from the white man. Special ceremonies on an Indian plan might be added.

The promised result was the disappearance of the white man and the return of the old life, either through magic or through successful war. Such movements I may call reversion religions.

#### *Reversion religions*

Some of the most important of these looked forward to successful war. Among them can be named that of Popé, leading to the Pueblo revolt of 1680; that of the Delaware prophet and Pontiac's conspiracy, 1672; that of the Shawnee prophet, brother of Tecumseh, and the Ohio revolt, 1805. All of these wars came to grief.

As time showed the hopelessness of war, the visionaries began to promise a magical solution involving the disappearance of the whites or the finding by the Indians of some new and peaceful land. Such leaders were Kanakuk of the Kickapoo, 1827; Tavibo of the Paiute, 1870; Smohalla of the Sokulk, on the Columbia River, 1889-90. In response to a vision claimed by Wowoka, a Paiute, many tribes, especially from the Plains where disruption was extreme, accepted Wowoka's gospel. This meant the Ghost Dance, with special costume, songs, and dances dictated by the prophet on a Paiute pattern. The contention of the devotees was that they intended no attack on the whites, but

expected their magical disappearance. These gatherings among the Sioux were misunderstood by the whites and resulted in the massacre of Wounded Knee. Since its prophecies were not fulfilled, this type of reversion religion died out like the other.

#### *Amalgamation religions*

After Christian teachings had become somewhat familiar, there was a series of what I may call amalgamation religions. These did not contemplate the conquest or disappearance of the whites. Instead, they aimed at peaceful living for the Indians under the new conditions. Though they often kept old Indian customs and eschewed Christian theology, they included definite ethical teachings. The need for such teaching was obvious since Indian groups were breaking up, and the old clan and family influence was not sufficient to control behavior. Above all, liquor was making its inroads, and the new preachers demanded total abstinence as well as peaceful and upright living.

Among such preachers was Handsome Lake of the Iroquois, 1799-1815, who was profoundly influenced by Quaker missionaries. In the Southern Puget Sound country, in 1881, John Slocum founded the Shaker religion, a compound of Christian elements and Indian style vision. Both of these cults are still functioning. The most widespread of all was the Peyote religion, many of whose adherents were brought together in 1918 as the Native American Church. Like other cults, Peyotism involved a combination of old Indian practices with social ethics. It had no one prophet, although several Southwestern tribes tell of a suffering individual who had a vision after the old pattern. He saw the peyote plant in human form, was given the directions for a ceremony and ethical maxims, and was bidden to teach these to his people for their salvation.

Peyote (Mexican peyotl) is a small globular cactus with a root like a carrot found growing on both sides of the Rio Grande. It contains a number of alkaloids, the chief being mescaline, and has the power of producing hallucinations with intense and varied colors. It was used by Mexican Indians, notably the Huichol in elaborate ceremonies. Late in the nineteenth century one of the Plains tribes, perhaps Kiowa or Comanche, roved into Mexico, brought back the cactus, and evolved a Plains-type ceremony centered around its use. Peyotists in Oklahoma were organized in 1918 as the Native American Church and since then eleven other states have issued charters to several denominations of Peyotists. Nearly all groups are affiliated with the Native American Church, which has national officers and the largest membership of any Indian group in the United States.<sup>5</sup>

The Peyote religion teaches an ethical doctrine much like those of the monotheistic religions. However, it eschews specific Christian theology, its exponents often stating that while Christ came to the whites, peyote came to the Indians. This is an obvious reaction to the subordinate place so often given to the Indian converts in a church organization. Indians resent being treated as inferiors in religion as elsewhere.

Their meetings, which have been attended by a number of anthropologists including myself, are like some Protestant prayer meetings, where the program includes singing, prayer, and testimonials. They are held in a tepee strewn with white sage in the Plains manner and with a half-moon shaped earthen altar as in some Kiowa ceremonies. During the evening, a drum and rattle are passed around clockwise, one man singing a song, supposedly of his own composition, while a man on

one side of him drums and on the other rattles. Meanwhile heads of the cactus, usually dried, are passed around, each person expecting to eat eight during the evening. After midnight, when the round has been made once, there are testimonials from individuals who have been helped to follow "the straight road," giving up liquor and other faults. At dawn comes a token meal of old Indian foods, then prayers asking God's help for Indians, whites, and all the world.

Statements have been made that Peyote meetings are wild orgies like those due to marijuana. Obviously, these opinions are expressed by persons who have never attended a meeting. The effect of peyote is color visions accompanied by extreme lassitude and unwillingness to move at all. Its principal ingredient, mescaline, is now being investigated by several scientific groups; the conclusion so far is that it is not habit forming. To produce any bad effects such as shortened respiration, at least 350 mgs. of mescaline are needed; white experimenters have taken as many as 700 without harm. The standard buttons (eight) taken at meetings contain only some 107 mgs.

Membership in the Native American Church is growing and for obvious reasons. The Indian is at a point where he really desires to share the advantages of the white man, yet he still feels something of a maladjusted outsider. A religion which provides him with purpose and with self-esteem would seem desirable help, unless we get scientific proof that it is injurious. The areas where it is spreading most are those under present stress, like the Navaho reservation. On the contrary in Oklahoma, the place of its origin, I was told that some of the younger, more fully acculturated men object to the Indian elements in the religion and are joining the white man's church.

<sup>5</sup> J. S. Slotkin, *The Peyote Religion* (Glencoe: Free Press, 1956).

# The Acculturation of American Indians\*

By EVON Z. VOGT

**Abstract:** Despite all the pressures for changing the ways of American Indians into those of the white man, there are still basically Indian systems of social structure and culture persisting with variable vigor within conservative nuclei of Indian population. The author outlines a conceptual framework for the analysis of American Indian acculturation in different areas of the United States, provides a brief synoptic review of the degree of acculturation in such areas, and discusses the limiting factors to full acculturation by comparing the situation of the United States with that of Mexico, and considers the development of "Pan-Indianism" as an emerging stage in the acculturation process.—Ed.

BY THE mid-twentieth century it has become apparent to social scientists studying the American Indian that the Indian population of the United States is markedly increasing and that the rate of basic acculturation to white American ways of life is incredibly slower than our earlier assumptions led us to believe. During the latter part of the nineteenth century and the early part of this century, the American Indians were prevailing thought of in American public opinion as a "vanishing race." Vestiges of this opinion are, indeed, still with us as illustrated by the fact that an impressive "Memorial to the American Indian" is shortly to be built on the outskirts of Gallup, New Mexico—at the edge of the Navaho Indian country where the Navaho population has increased from 15,000 (at most) in 1868 to almost 80,000 in 1956

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and where Navaho culture persists with great vigor!

We were led to these comfortable assumptions about the vanishing American Indian by the fact that there *were* important population declines earlier in our history—many Indian tribes, in fact, became extinct—and by the observation that the Indians *had* undergone impressive changes in certain aspects of their cultures. It was anticipated that the population decline would continue and that the acculturative changes would proceed apace with all tribes and in all aspects of their culture as white American institutions impinged upon them. Earlier generations of young anthropology students were urged to go into the field and collect ethnographic data on Indian culture before it completely disappeared.

It has also been felt strongly that just as European immigrant groups are becoming Americanized within a few generations in the great American "melting pot" so, too, will the American Indians become assimilated. However, students did not stop to raise seriously enough the question of the vast difference be-

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tween the American Indian and the Europeans. European immigrants all came from the same general stream of Western culture and they, by and large, were motivated toward assimilation when they migrated to the United States. Not only were the Indians linguistically and culturally completely different from the peoples of Europe, but they also had little choice in the matter. European culture came to them in their native habitat and proceeded by force to overrun the continent.<sup>1</sup>

The acculturative changes which formed the basis for our earlier observations involved several different kinds of processes. These processes have been in operation in varying degrees since 1540 when Coronado arrived at Zuni and established the first contact between Europeans and American Indians within what are now the continental borders of the United States. In the first place there has been an important "drifting out" process from almost all American Indian populations over the centuries in which individuals and families have left their native settlements to take up residence in American communities. In some cases, this rate of migration has been great enough to involve almost all of the Indian population; but in many other cases, it has had the effect of "draining off" the most acculturated segment of the population each generation and of leaving a conservative reservoir of more traditional culture carriers intact to carry on their Indian way of life.<sup>2</sup> We now also perceive clearly that we must differentiate between acculturative changes taking place

in these individuals and families that are drifting away from the traditional ways of life and the Indian sociocultural system which may be undergoing quite a different type of change and at a much slower rate.<sup>3</sup> This difference between *individual* change and *system* change in acculturation situations is fundamental, and it means that we should not jump to the conclusion that full acculturation will soon take place simply because we observe a certain segment of the population leaving Indian country to take up residence in the white world.

A second widespread and continuing process has been the replacement of Indian material culture with goods, techniques, and technological equipment of the white American way of life. There is no American Indian tribe today who is living close to the aboriginal level in its patterns of food, clothing, and shelter. But it is now clear that just because Zuni Indians, for example, build more modern type houses with running water and electric lights, invest in radios and refrigerators, and drive new automobiles, it does not mean that they necessarily abandon their kinship obligations or give up dancing in Katchina dances. Indeed, it has been startling to many of us to observe how completely the inventories of material culture in Indian households are composed of items derived from white American culture,<sup>4</sup> and, yet, how relatively slow the rate of change is in social organization and religion in the same community.

All American Indian populations have

<sup>1</sup> L. Broom, B. J. Siegel, E. Z. Vogt, and J. B. Watson, "Acculturation: An Exploratory Formulation," The Social Science Research Council Summer Seminar on Acculturation, 1953, *American Anthropologist*, Vol. 56 (December 1954), pp. 988-89.

<sup>2</sup> E.g., Edward M. Bruner, "Assimilation among Fort Berthold Indians," *The American Indian*, Vol. 6 (1953), pp. 21-29.

<sup>3</sup> See the recent interesting exchange between Romney and Metzger and Bruner on this problem. A. Kimball Romney and Duane Metzger, "On the Processes of Change in Kinship Terminology" and Edward M. Bruner, "Rejoinder," *American Anthropologist*, Vol. 58 (June 1956), pp. 551-56.

<sup>4</sup> E.g., John M. Roberts, *Zuni Material Inventories, A Study in Value Inference* (forthcoming).

also been undergoing a process of increasing involvement with our white American sociocultural system: in economic relationships to our market economy; in crucial adjustments to our state and national political systems, which now hold the ultimate control of force, and to our educational system, which now provides schools for almost all Indian children; in important connections with Christian missionary movements that now touch every Indian population. The earlier isolation of Indian populations from the main streams of modern life has decreased markedly in the past few decades, and today only one tribe—the Havasupai living deep in a branch of the Grand Canyon in northern Arizona—cannot be reached by automobile. As a result, the languages, social structures, and religions have all shown some change as the modern world closes in upon the Indian cultures.

But what is interesting to the close observer is that, despite all these pressures for change, there are still basically Indian systems of social structure and culture persisting with variable vigor within conservative nuclei of American Indian populations. It would be rash indeed to predict now that these cultural features will completely disappear in the course of acculturation in one, two, or even several generations.<sup>5</sup>

This proposition raises the fundamental question as to why we have had to alter our earlier expectations concerning the rate of American Indian acculturation and why full acculturation to white American ways of life is not occurring in the contemporary scene. In this article I shall outline a conceptual framework for the analysis of American

Indian acculturation, provide a brief synoptic review of the acculturation situation in different areas of the United States, and then discuss the limiting factors to full acculturation by comparing the situation of the United States with that in Mexico. The final section will consider the development of "Pan-Indianism" as an emerging stage in American Indian acculturation.

#### CONCEPTUAL FRAMEWORK FOR THE ANALYSIS OF ACCULTURATION

Although students of American Indian acculturation are not yet ready to provide a definitive synthesis of the processes, we have developed a framework for understanding the general outlines in terms of two sets of variables: (a) *the nature of the two cultures which come into contact*, involving such questions as the types of sociocultural integration, settlement pattern, attitudes toward strangers, and so forth, and the intercultural compatibility of these patterns; and (b) *the contact conditions*, involving such questions as whether the contact is "forced" or "permissive," of long or short duration, intensive or sporadic, and so forth.<sup>6</sup> The interaction

<sup>5</sup> See R. Redfield, R. Linton, and M. J. Herskovits, "Memorandum on the Study of Acculturation," *American Anthropologist*, Vol. 38 (1936), pp. 149-52; R. Linton (Ed.), *Acculturation in Seven American Indian Tribes* (New York: Appleton-Century, 1940); A. Irving Hallowell, "Sociopsychological Aspects of Acculturation," in: R. Linton (Ed.), *The Science of Man in the World Crisis* (New York: Columbia University Press, 1945), pp. 171-200; Ralph L. Beals, "Acculturation," in: A. L. Kroeber and others, *Anthropology Today* (Chicago: University of Chicago Press, 1953), pp. 621-41; Broom, Siegel, Vogt, and Watson, *op. cit.* (note 1 *supra*); Edward H. Spicer, "Spanish Indian Acculturation in the Southwest," *American Anthropologist*, Vol. 56 (August 1954), pp. 663-78; Julian H. Steward, *Theory of Culture Change* (Urbana: University of Illinois Press, 1955); M. J. Herskovits, *Cultural Anthropology* (New York: Alfred A. Knopf, 1955), pp. 461-84; Edward P. Dozier,

<sup>6</sup> See Oliver LaFarge, "Assimilation—The Indian View," *New Mexico Quarterly*, Vol. 26 (Spring 1956), pp. 5-14; Clyde Kluckhohn, "Covert Culture and Administrative Problems," *American Anthropologist*, Vol. 45 (April-June 1943), p. 219.

between these two sets of variables leads to the types of intercultural relationships we observe and to a complex and varied set of processes of change that are just beginning to be understood adequately. These processes are of two major orders which may be differentiated by the terms "microscopic" and "macroscopic." The microscopic comprise specific recurring sequences of events in acculturation, such as the diffusion of concrete objects between the two cultures—the replacement of stone by steel axes being a classic example of this type of process. The macroscopic comprise the more pervasive patterns of change which persist over long-time spans and involve alterations in the sociocultural systems. In the first case the results have more to do with simple additions, subtractions, or replacements in cultural and linguistic *content*; in the second instance the results have more to do with *structural* and *pattern* changes, of which we are able to identify a number of different types—"additive," "fissional," "isolative," "nativistic," "assimilative," and so forth.<sup>7</sup>

#### SYNOPTIC REVIEW OF THE ACCULTURATION SITUATION

The early history of Indian-white relations has been covered in the first ar-

*Forced and Permissive Acculturation, The American Indian*, Vol. 7 (1955), pp. 38-45; Bernard J. Siegel (Ed.), *Acculturation, Critical Abstracts, North America*, "Stanford Anthropological Series," No. 2 (Stanford: Stanford University Press, 1955); Edward Spicer (chairman), E. M. Bruner, Helen Codere, L. P. Dozier, David French, and E. Z. Vogt, Notes on the Social Science Research Council Interuniversity Summer Seminar on American Indian Culture Change, 1956, unpublished.

<sup>7</sup> These types will be discussed in detail in Edward H. Spicer (Ed.), "New Perspectives on American Indian Culture Change" (forthcoming) which will constitute the published report on the 1956 SSRC summer seminar on American Indian Culture Change" (see note *supra*).

ticle of this issue of THE ANNALS. My purpose here is merely to outline certain of the major trends in acculturation in terms of the two sets of variables we utilize to account for the processes.

#### *East of the Mississippi*

By and large, the Indian populations were forcibly removed from the areas east of the Mississippi River as the American population expanded and the frontier moved West. It is significant that the conditions of contact were such that it did not make much difference as to whether the aboriginal cultures were loosely integrated, scattered small bands of Northeastern Algonquian peoples or more complexly organized agricultural peoples such as the Southeastern Cherokee, Creek, Choctaw, and Chickasaw. By about 1845 the removal was substantially completed, and today only scattered small pockets of Indian population remain, principally in isolated regions—the Eastern Cherokee in the Great Smoky Mountains of North Carolina; the Seminoles, a subdivision of the Creek, who found refuge in the everglades in Florida; six small clusters of Iroquois in New York State and the Oneida who moved to Wisconsin in 1832; several groups of Algonquian peoples in the northern woods of Michigan, Wisconsin, and Minnesota; and a few other remnants such as the Abnaki in Maine.

But, even in this region, where the pressures for acculturation have been maximal, certain basic Indian cultural patterns persist with surprising vigor. This has been recently demonstrated by the work of Speck and Broom on the Cherokee; Spoeher and Sturtevant on the Seminole; Fenton, Wallace, and others on the Iroquois; and Keesing, Hallowell, Spindler, and others on the Algonquian peoples.<sup>8</sup>

<sup>8</sup> E.g., Frank G. Speck and Leonard Broom, *Cherokee Dance and Drama* (Berkeley: Uni-

### *The Plains*

In the prairie and plains between the Mississippi and the Rocky Mountains, removal took place later and was not carried to the same extremes. Oklahoma on the Southern Plains was utilized as a region in which to resettle many of the displaced Eastern tribes and a large number of the Prairie and Plains tribes. In the Dakotas and eastern Montana a number of large Indian populations, especially the Dakota, or Sioux, remain on reservations. Other small remnants include the Mesquakie, or Fox, in Iowa, and the Omaha and Ponca in Nebraska.

The removal or reduction of the Plains tribes involved a great deal of violence in the latter half of the nine-

teenth century. The development of strong warfare patterns and the use of the horse and gun made these tribes into formidable opponents for the United States Army. The Indian wars which took place on the Plains have so impressed themselves on the national consciousness as to make the Plains Indian into the prevailing stereotype of the American Indian. It is also significant that some of the most important nativistic reactions to occur in the United States came in the wake of these developments on the Plains—the Ghost Dance, followed by the less nativistic, more transitional Peyote Cult.<sup>9</sup>

Again, although pressures for acculturation throughout this area have been great and the acculturation which has occurred has involved much personal frustration and demoralization for individual Indians,<sup>10</sup> certain basic Indian ways of life persist in almost all cases, even in such apparently highly acculturated groups as the Mesquakies near Tama, Iowa.<sup>11</sup>

### *Intermontane region*

It is certainly no geographic accident that all the large remaining Indian populations of the United States are located west of the 20-inch rainfall line. Here the land is much less desirable for farming without irrigation, and the to-

versity of California Press, 1951); Alexander Spoehr, *Camp, Clan, and Kin Among the Cow Creek Seminole of Florida*, "Anthropology Series, Field Museum of Natural History," Vol. 33, No. 1 (Chicago: Field Museum of Natural History, 1941); William C. Sturtevant, "The Medicine Bundles and Busks of the Florida Seminole," *The Florida Anthropologist*, Vol. 7 (May 1954), pp. 31-73; William N. Fenton (Ed.), *Symposium on Local Diversity in Iroquois Culture*, Bureau of American Ethnology, Bulletin 149 (Washington: Government Printing Office, 1951); A. F. C. Wallace, *The Modal Personality Structure of the Tuscarora Indians*, Bureau of American Ethnology, Bulletin 150 (Washington: Government Printing Office, 1952); A. Irving Hallowell, "Some Psychological Characteristics of the Northeastern Indians," in: Frederick Johnson (Ed.), *Man in Northeastern North America*, Papers of the Robert S. Peabody Foundation for Archaeology, Vol. 3, 1946; Joseph B. Casagrande, "Ojibwa Bear Ceremonialism: The Persistence of a Ritual Attitude," in: Sol Tax (Ed.), *Acculturation in the Americas: Proceedings and Selected Papers of the XXIXth International Congress of Americanists* (Chicago: University of Chicago Press, 1952), pp. 113-17; George D. Spindler, *Sociocultural and Psychological Processes in Menomini Acculturation*, "University of California Publications in Culture and Society," Vol. 5 (Berkeley: University of Calif. Press, 1955).

<sup>9</sup> Bernard Barber, "A Socio-Cultural Interpretation of the Peyote Cult," *American Anthropologist*, Vol. 43 (October-December 1941), pp. 673-75; see also A. F. C. Wallace, "Revitalization Movements," *American Anthropologist*, Vol. 58 (April 1956), pp. 264-82 for an important new theoretical treatment of nativistic movements.

<sup>10</sup> E.g., Gordon MacGregor, *Warriors Without Weapons* (Chicago: University of Chicago Press, 1946).

<sup>11</sup> Fred Gearing, "Today's Mesquakies," *The American Indian*, Vol. 7 (1955), pp. 24-38; see also Scudder Mekeel, *The Economy of a Modern Teton Dakota Community*, "Yale University Publications in Anthropology," No. 6 (New Haven: Yale University Press, 1936).



tal population density continues to present a marked contrast to that of the more humid eastern half of the nation. An additional important historical dimension was added to this picture by the fact that the main frontier of white settlement leaped across the arid intermontane region in the mid-nineteenth century when gold was discovered on the Pacific coast. These facts had special significance for the Southwest which I shall discuss below, but they were also important in lessening the pressures for early and forced acculturation in the territory to the north.

Through much of the intermontane region, especially in the Great Basin of Utah and Nevada, the aboriginal cultures were at such a low level of technological development and sociocultural integration as to create a contact situation in which these Shoshonean peoples had little to lose and much to gain by attaching themselves by small kinship units to the scattered ranches and mining camps. In this situation acculturation has proceeded quite rapidly and with relatively little strain.<sup>12</sup>

### *Pacific coast*

In the Pacific coast region strong acculturative forces were set in motion by the middle of the nineteenth century after gold was discovered in California and desirable lands were made available for settlement in Oregon and Washington. White-American population increased rapidly, and the Indian cultures were not organized to withstand much pressure. The result was the complete extinction of many groups and the reduction of others to small remnant populations living, in most cases, on reservations made up of a number of different Indian cultures. The Warm Springs reservation in Oregon with a combination of Wascos, Sahaptins, and

Paiutes is a good example.<sup>13</sup> In these cases Indian cultural patterns have not completely disappeared, but the process of acculturation has moved much further than it has in the Southwest, for example, and within a much shorter time period.

### *The Southwest*

There is not much doubt that we find the largest and most conservative nuclei of American Indian populations in the Southwest. Here the time span of European contact has extended over four centuries, but the earlier Spanish control did not effectively reach the scattered encampments of the Apachean tribes, nor penetrate effectively to such tribes as the River and Upland Yumans. The major efforts were directed toward the Eastern Pueblo; the Hopi villages were never brought under effective control and the Zuni villages only periodically. The Pueblos were characterized by a relatively high degree of sociocultural integration in aboriginal times. The major effect of the Spanish effort seems to have been to add a few material culture items—such as wheat, domestic livestock, and a veneer of Catholicism—but it also increased the effectiveness of their boundary-maintaining mechanisms which operated against further acculturation in social organization and religion.

Since gold was discovered in California right after the United States acquired this territory, the American frontier also tended to leap across the Southwest, leaving the Indian lands and cultures intact for an additional generation. Effective Anglo-American control did not come until late in the nineteenth century, following the roundup of the Apachean tribes and the coming of the railroad. Only in the past fifty

<sup>12</sup> Steward, *op. cit.* (note 6 *supra*), pp. 56-58.

<sup>13</sup> Katherine and David French, "The Warm Springs Indian Community—Will it be Destroyed?", *The American Indian*, Vol. 7 (1955), pp. 3-17.

years have contact conditions been such as to lead to new trends in acculturation. As of 1956, the acculturation situation is changing fast; but at the same time, Indian populations are increasing throughout the Southwest, and conservative nuclei of most tribes will certainly maintain Indian patterns for many generations to come.<sup>14</sup>

#### LIMITING FACTORS TO FULL ACCULTURATION

A number of hypotheses have been advanced to account for the persistence of Indian culture in the face of increasing pressure from white American society toward full acculturation and the complete assimilation of Indian populations. To mention only a few of the common hypotheses, there is, in the first place, the argument, often advanced by the lay public, that isolation of the Indian populations on remote reservations administered by the Indian Bureau has insulated them from proper exposure to educational facilities, mass communications, and so forth and has prevented them from obtaining the means for assimilation. This hypothesis has undoubted merit, but it certainly fails to account for the many cases of Indian groups which have been subjected to a great deal of contact, yet who continue to maintain many of their old patterns. Witness, for example, the Tuscarora living on the outskirts of Niagara Falls, New York, or the Isleta Pueblo located within fifteen miles of Albuquerque, New Mexico.

A more interesting hypothesis, also emphasizing contact conditions, has been advanced by Dozier<sup>15</sup> and others to the effect that "forced" acculturation, if not so extreme as to lead to early absorption of the subordinate group, will re-

sult in a high degree of resistance to change in indigenous cultural patterns. This formulation appears to work well for cases like the Southwestern Pueblo where the aboriginal sociocultural systems were highly enough organized to develop patterns of resistance when "forced" acculturation occurred. It applies less well to tribes with a low level of aboriginal sociocultural integration, and, of course, does not apply at all to cases where the acculturation process was relatively "permissive" and the groups still maintain their old patterns.

A third type of hypothesis, involving a theory about the nature of culture, has been the thesis that while the material aspects of a culture can change readily, family and kinship institutions are more persistent; that the aspects of a way of life which have been labeled as core culture, implicit values, cultural orientations, and personality type, are still more persistent.<sup>16</sup> This type of hypothesis appears to apply to certain tribes and to some ranges of our data. But the formulation in its present form will not account for all the variability we observe in rates of change in different aspects of American Indian culture. It also does not answer the basic question as to why *any* Indian patterns should be preserved at all considering the kind and degree of pressure for change many Indian tribes have experienced.

Still a fourth hypothesis stresses the importance of an organized communal structure. Eric Wolf<sup>17</sup> has recently

<sup>14</sup> For recent data on the Southwest see Emil W. Haury (Ed.), "Southwest Issue" of *American Anthropologist*, Vol. 56 (August 1954).

<sup>15</sup> Dozier, *op. cit.* (note 6 *supra*).

<sup>16</sup> R. Linton, *The Study of Man* (New York: Appleton-Century, 1936), p. 360; E. Z. Vogt, *Navaho Veterans*, "Papers," Peabody Museum of American Archaeology and Ethnology, Vol. 41, No. 1 (1951), p. 119; Spicer, *op. cit.* (note 6 *supra*), p. 667; A. Irving Hallowell, *Culture and Experience* (Philadelphia: University of Pennsylvania Press, 1955), p. 351; Edward M. Bruner, "Cultural Transmission and Cultural Change," *Southwestern Journal of Anthropology*, Vol. 12 (Summer 1956), p. 197.

<sup>17</sup> Eric R. Wolf, "Types of Latin American

characterized this structure as a "corporate" community that maintains a bounded social system with clear-cut limits, in relation to both outsiders and insiders, and has structural identity over time. His thesis is that in Latin America the persistence of Indian-culture content seems to have depended primarily on maintenance of this structure and that where the structure collapsed, traditional cultural forms quickly gave way. This formulation has not been systematically explored with United States-Indian data; but it strikes me as an attractive hypothesis, especially in accounting for the high degree of persistence we observe among still very conservative tribes living in compact communities, like the Southwestern Pueblos. It is also crucial in explaining many of the differences between the acculturation of the American Negroes and the slower acculturation of the American Indians. But what concerns us more in this attempt to understand the limiting factors to full acculturation is why some important Indian patterns continue to persist among groups whose corporate structure has been shattered.

In all of these hypotheses, and others which cannot be discussed for lack of space, it is my impression that we have tended to de-emphasize recently, in our analyses of United-States-Indian data, what is perhaps the most important factor of all: our persisting Anglo-American "racial" attitudes, derived historically from Puritan Colonialism, which strongly devalue other physical types bearing different cultural traditions. These inflexible attitudes are of course directly related to the superordinate-subordinate structural character of Indian-white relationships in the United States. They are also related to the lack of a large mixed Indian-white population which would provide cul-

tural models and reference groups along the continuum of acculturation for the conservative nuclei still living in the native-oriented Indian communities.

We pay lip service to the idea of Indians being the "First Americans," we now manifest considerable interest in their customs, and we decorate our homes with Indian rugs and pottery and dress our women in fashionable "squaw dresses" derived from Indian styles; but the barriers to full acceptance measured by such an index as the rate of intermarriage are still formidable in most areas of the United States. There are, of course, exceptions in some localities, as among the Menominee of Wisconsin, among the Wascos on the Warm Springs reservation in Oregon, or in parts of Oklahoma where intermarriage is more frequent.<sup>18</sup> There has also undoubtedly been some admixture in all areas over the centuries.<sup>19</sup> But taking the nation as a whole and considering especially the localities of high Indian population, such as the Southwest, the rate of miscegenation with whites continues to be astonishingly low.

The contrast with Mexico is sharp and illuminating. In Mexico interbreeding between Spanish and Indian began almost immediately after the Spanish conquest. Even though miscegenation was prohibited during the late Colonial period, the total process has moved far enough to produce a profoundly "mestizo" nation.<sup>20</sup> There are

<sup>18</sup> E.g., Spindler, *op. cit.* (note 8 *supra*); French, *op. cit.* (note 13 *supra*); William W. Newcomb, Jr., *The Culture and Acculturation of the Delaware Indians*, "Papers," Museum of Anthropology, University of Michigan, No. 10 (1956).

<sup>19</sup> H. L. Shapiro, "The Mixed Blood Indian," in: Oliver LaFarge (Ed.), *The Changing Indian* (Norman: University of Oklahoma Press, 1942), pp. 19-28.

<sup>20</sup> See Sol Tax (Ed.), *Heritage of Conquest* (Glencoe, Ill.: The Free Press, 1952); Ralph L. Beals, "The History of Acculturation of Mexico," in: *Homenaje Al Doctor Alfonso*

still relatively unacculturated and unassimilated Indians remaining in various parts of the nation; but when Indian groups enter a transitional stage and begin to move in the direction of integration, there are cultural models and reference groups for them all along the continuum of acculturation, from the most native-oriented Indian communities to the sophisticated urban life in Mexico City. The sociocultural system is also open for the ambitious and talented Indian individual like Benito Juarez who began his career in an isolated Zapotec Indian village and went on to become one of Mexico's greatest presidents. But, even more important, the system is relatively open for transitional Indian groups as they proceed generations by generation along the continuum to fuller integration and acculturation. There is now a conscious and conspicuous positive valuation of the Indian heritage on the part of Mexico's political and intellectual leaders.

In the United States, on the other hand, the path to full acculturation is confusing and frustrating, and an ultimate ceiling is still firmly clamped down by our persisting Anglo-American "racial" attitudes. Instead of proceeding generation by generation along a continuum to full acculturation, it is as if an American-Indian group must at some point leap across a spark gap to achieve a fully integrated position in white American society.<sup>21</sup>

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Caso (Mexico: Imprenta Nuevo Mundo, 1951).

<sup>21</sup> Within and near many U. S. reservations there has recently emerged a continuum of sociocultural groups that can be arranged in an order from "native" or "native oriented" through "transitional" to "American-marginal" or "acculturated" and does bear some resemblance to the situation in Mexico. See, for example, Fred Voget, "Crow Socio-Cultural Groups," in: Tax (Ed.), *op. cit.* (note 8 *supra*), pp. 88-93; Spindler, *op. cit.* (note 8 *supra*). But the process has not moved as far or as profoundly as it has in Mexico, and

I do not mean to imply that biological interbreeding per se affects the process, but that biological miscegenation leads to profoundly different self-conceptions and evaluations; to the kinds of reference groups that seem to provide a kind of natural "ladder of acculturation" in many areas of Mexico that is so conspicuously lacking in the United States; and to a much more permeable barrier at the extreme end of the acculturation continuum.

#### PAN-INDIANISM

Since a kind of ultimate lid or ceiling has been placed upon full acculturation and assimilation in the United States, it is now pertinent to raise the question as to what is happening to Indian groups who become reasonably well educated by our standards and move a great distance from their aboriginal ways of life without becoming fully integrated in the larger United States society. One way of looking at the problem is that we shall continue with a type of cultural pluralism for some generations to come. But in a vast number of cases, the process has moved too far for Indian groups to continue to find much meaning in their own particular aboriginal cultures, and what appears to be emerging is an interesting type of "Pan-Indianism."<sup>22</sup>

This Pan-Indianism is assuming a form in which increasing numbers of American Indians are participating in customs and institutions that are describable only as Indian. These customs and institutions are being synthe-

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the problem of achieving full integration into white American society still exists.

<sup>22</sup> See Margaret Mead, *Changing Culture of an Indian Tribe* (New York: Columbia University Press, 1932), pp. 66-68; C. S. Brant, "Peyotism Among the Kiowa-Apache and Neighboring Tribes," *Southwestern Journal of Anthropology*, Vol. 6 (Summer 1950), pp. 212-22; James H. Howard, "Pan-Indian Culture of Oklahoma," *Scientific Monthly*, Vol. 81, No. 5 (1955), pp. 215-20; Newcomb, *op. cit.* (note 17 *supra*), pp. 117-22.

sized from elements derived from diverse Indian cultures and to some extent from white American culture. There exists also in many regions, and especially in Oklahoma, a loosely knit, informally organized grouping of Indians who have joined forces to participate in these Pan-Indian activities.<sup>23</sup>

Historically, the beginnings of this type of Pan-Indianism are found in many of the nativistic movements which followed in the wake of conquest, the spread of the Ghost Dances being a classic type of example. The later emergence of the Peyote Cult, which involved not only the exchange of customs and ideas among Indian tribes and the incorporation of Christian concepts, but also intertribal participation in the same ceremonies, carried the process much further and continues to be one of the focal points in Pan-Indianism.<sup>24</sup>

Conspicuous more recent developments are the various powwows and intertribal ceremonial gatherings. Some are organized by the Indians themselves, especially in Oklahoma and the Middle West; others, like the annual Gallup Inter-Tribal Indian Ceremonial, are managed by white businessmen to promote local business interests. But in both types, there is enthusiastic intertribal participation on the part of the Indians and a strong encouragement of Pan-Indianism.

Although the cultural elements found in this emerging Pan-Indian movement are derived from diverse Indian sources, it is highly significant that a high proportion of these elements are drawn from Plains culture: the war bonnet, the Plains-type war dance, and so forth. These elements have become symbols of Indianism to the Indians themselves to

a degree that bears little relationship to the aboriginal facts. And it is probable that their importance as symbols derives in part from the fact that these elements are central features of the prevailing white-American stereotype of the American Indian. They are the features of Indian culture which white tourists expect to find when they attend intertribal ceremonials, and Indians are rewarded by the whites for behaving in conformity to the stereotype. This phenomenon is evident at the Gallup Inter-Tribal Ceremonial where a close-to-aboriginal Navaho or Apache dance receives only a scattering of applause, but a Plains-type war dance enjoys a thundering ovation from the white audience, regardless of whether the dance is performed by the Kiowas or by the Zunis! The result is that more and more tribes are adopting Plains styles of dancing, and Pan-Indianism proceeds apace.

Other features of Pan-Indianism include intertribal visiting and intermarriage, which are also of crucial importance, and the national Indian organizations such as the National Congress of American Indians which, to date, are less important than the powwows.

The significance of this Pan-Indianism in general terms is that it provides a social and cultural framework within which acculturating Indian groups can maintain their sense of identity and integrity as Indians as long as the dominant larger society assigns them to subordinate status. In the future, it is probable that this Pan-Indianism will develop greater political significance than it has at present, and that organizations like the National Congress of American Indians will speak more effectively for a more highly organized American-Indian minority which will begin to take the franchise more seriously and be more carefully listened to in the halls of the United States Congress in Washington.

<sup>23</sup> Newcomb, *op. cit.* (note 17 *supra*), p. 117.

<sup>24</sup> Weston LaBarre, *The Peyote Cult*, "Yale University Publications in Anthropology," No. 16 (New Haven: Yale University Press, 1938). It is significant that the Peyote Cult is now formally incorporated in some states as the Native American Church.

# American Indian Personality Types and Their Sociocultural Roots

By GEORGE D. and LOUISE S. SPINDLER

**Summary:** It appears that American Indians probably exhibit some pivotal and core features of psychological structure in common, and that these core features function differently in variant tribal and areal cultures. The combination of these features in the basic personality structure of each society appears to exhibit considerable stability through time, and apparently selectively limits effective choices of new cultural alternatives as long as it continues to function. By reversing the relationship between culture change and psychological structure, we can see that several distinct types of personality emerge, representing various combinations of experience, needs, and results of experience. These types are cast somewhat differently in the framework of male and female roles in culture change.

THE questions with which we will be concerned in this paper are: what psychological characteristics may be considered universal among the Indian tribes of North America? What are some of the variations around these basic psychological themes? Does psychological structure act as a selective screen in culture change? What are some of the personality types cast up in the process of change as Indians in groups and as individuals adapt to the impact of twentieth-century American culture? Although each of these questions is indeed broad enough to justify a separate article, they belong together. We will place most emphasis on the last two questions. This is because psychological structures as selective screens and the psychological types cast up in culture change situations provide focus on relationships that will be of significance in new developments in the status or cultural position of American Indians.

We must at this point declare our hesitance about stating some of the generalizations it is necessary to make in the treatment of these questions. Although no area in the world has been so combed over by anthropologists as has North America, the combing has been done mainly with *cultural*, not *psychological*, tools. For large areas, psychological data—including impressionistic descriptions of character—are lacking. What psychological data are available—and probably more is available for North America than for any other major culture area of the world—are frequently not comparable from one tribe to another because of differing theoretical orientations in their treatment, different levels of abstraction in interpretation, and the variant purposes of research.

Inference from cultural materials alone is frequently unsafe because the manifest aspects of culture sometimes vary

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from situation to situation without corresponding variations in psychological structure, and vice versa. We have used what is available in the literature of psycho-cultural studies among North American Indians, have inferred from cultural patterning to a limited extent and from life histories, and have projected from our own observations among Wisconsin Indians, particularly the Menominee. Much of what we will say in the following pages, however, must be regarded as constituting reasonable hypotheses rather than established fact.

#### COMMON PSYCHOLOGICAL CHARACTERISTICS

As we checked through the psychologically oriented studies—including autobiographies and psychological “asides” in ethnographies—of Indian tribes representing all of the major culture areas in North America except the Southeastern Woodlands, it seemed clear that some psychological characteristics are more widely shared than others, and that of these some may be regarded as representing modal tendencies. We regard them not as static, but as long-standing features of a relatively high degree of stability. They characterize in a very general sense limited aspects of the aboriginal personalities of American Indians and possibly characterize the pan-Indian psychological core of the least acculturated segments of contemporary tribes. We shall, therefore, describe these core psychological features, and later treat their variations, as though we were speaking of aboriginal America.

Without attempting to document the many sources from which inferences and data were drawn, we can tentatively describe the psychological features most widely exhibited among North American Indians as a whole in the following way: nondemonstrative emotionality and reserve accompanied by a high degree of control over interpersonal aggression

within the in-group;<sup>1</sup> a pattern of generosity that varies greatly in the extent to which it is a formalized social device without emotional depth; autonomy of the individual, a trait linked with socio-political structures low in dominance-submission hierarchies; ability to endure pain, hardship, hunger, and frustration without external evidence of discomfort; a positive valuation of bravery and courage that varies sharply with respect to emphasis on highly aggressive daring in military exploit; a generalized fear of the world as dangerous, and particularly a fear of witchcraft; a “practical joker” strain that is nearly everywhere highly channelized institutionally, as in the common brother-in-law joking prerogative, and that appears to be a safety valve for in-group aggressions held sharply in check; attention to the concrete realities of the present—what Rorschachists would call the “large D” approach to problem solving—practicality, in contrast to abstract integration in terms of long-range goals;<sup>2</sup> a dependence upon supernatural power outside one’s self—power that determines one’s fate, which is expressed to and can be acquired by the individual through dreams, and for which the individual is not held personally account-

<sup>1</sup> There are exceptions to each of these descriptive statements. The Mohave and Navaho, for instance, are subject to abrupt swings of mood and are emotionally volatile, though the Navaho are described as outwardly impassive. See G. Devereux, “Mohave Culture and Personality,” *Character and Personality*, Vol. 8 (1939-40), pp. 91-109; A. Kroeber, “Mohave Disposition,” *Handbook of the Indians of California*, Bureau of American Ethnology, Bulletin 78 (1925), pp. 729-31; C. Kluckhohn and D. Leighton, *The Navaho* (Cambridge: Harvard University Press, 1947).

<sup>2</sup> This may vary according to the extent to which a people are sedentary, accumulative, and status-oriented. It seems probable that nomadic hunting, and gathering peoples, as most North American Indians were, would usually exhibit this practical, reality-centered approach.

able, at least not in the sense that one's "will" is accountable for one's acts in Western culture.

#### VARIATIONS IN PSYCHOLOGICAL CHARACTERISTICS

Each of the items in the preceding list of "core" psychological features varies by context and serves somewhat different purposes in somewhat different ways in each culture. They are, therefore, in no sense fixed psychological constants. They are, rather, foci around which psychological and cultural elaboration has taken place in more or less unique ways in each culture. Study of this variation will lead to greater understanding of the behavior of American Indians, historically and in the present, than does the abstraction of common psychological denominators. If we analyze one of these foci—the handling of aggression—we find that it is true that American Indian cultures as a whole tend to exercise sharp controls on interpersonal, in-group aggression; but that the kinds of controls, what is being controlled, and the purpose of controls vary impressively from situation to situation. The following is an attempt to sketch the salient features of aggression control and channelization in three culture types, corresponding to culture areas in North America, as examples of variation.<sup>3</sup>

On the Plains, for example, out-group aggression is highly channelized—among tribes like the Comanche, Sioux, Arapaho, Crow—by raids on other tribes for horses, scalps, and booty and with systems of status based on one's daring in these exploits. And here also in many tribes, in-group aggression is highly channelized—in legitimatized wife stealing by certain men's societies, highly

aggressive sexual conquest with males "counting coup" on women in some tribes, very rough institutionalized practical joking on relatives and old people, and ritualized boasting about military, and frequently sexual, exploits.<sup>4</sup> We infer that these Plains Indians are high in aggression, but that their cultures provide channels for it so that random in-group expression of aggression was infrequent enough not to be a major cause of disruption.

Among the Algonquians of the Northeastern Woodlands—the Ojibwa of Ontario and Wisconsin, the Menominee, the Naskapi of Labrador—there are fewer outlets for the expression of aggression on out-groups. Only some of the southern tribes tortured prisoners of war as a public spectacle, or even had formal warfare. The primary outlet for aggression seems to have been, and still is among the least acculturated groups within tribes, witchcraft—just as it is, coupled with gossip, among the Pueblo peoples like the Hopi and Zuni of the Southwest.<sup>5</sup>

<sup>4</sup> There are a multitude of descriptions of Plains patterns along these lines in both popular and ethnographic literature. See, for instance, E. C. Parsons (Ed.), *American Indian Life* (New York: B. W. Huebsch, 1922) for short, vivid, fictionalized stories; and A. Wallace and E. A. Hoebel, *The Comanches* (Norman: University of Oklahoma Press, 1952) for an ethno-historical analysis. A. Kardiner, in *Psychological Frontiers of Society* (New York: Columbia University Press, 1945), provides a psychoanalytic interpretation of Comanche character, and G. Devereux, *Reality and Dream* (New York: International Universities Press, 1951) analyzes the neurosis of an anonymous Plains Indian in terms of an areal Plains personality.

<sup>5</sup> See D. F. Aberle, *The Psychosocial Analysis of a Hopi Life-History*, "Comparative Psychology Monographs" (Berkeley: University of California Press, 1951) for a discussion of the functions of witchcraft in Hopi society; and L. S. Spindler, "Witchcraft in Menominee Acculturation," *American Anthropologist*, Vol. 54, No. 4 (1952), pp. 593-602 for the Menominee.

<sup>3</sup> The definition of culture area terms for North America used in this paper is that of A. L. Kroeber, *Anthropology* (New York: Harcourt, Brace and Company, 1923), p. 337.



The sociocultural mechanisms centering on aggression are of a rather different order in the Northeast than on the Plains. Here there is great stress on kind words, on treating everybody nicely, on never giving offense, not gossiping and fighting, not "showing off," not stealing women, doing favors whenever you are asked for fear you might displease someone if you refused, and on being quiet. The emphasis is seen in the constant, carefully phrased exhortations: by parents to children, by elders to participants during ceremonials and feasts, and in folklore, as well as in everyday behaviors.<sup>6</sup>

This pattern within these Northeastern societies can be regarded as functioning to control in-group aggressions in situations where formal sociopolitical control systems are almost nonexistent and decidedly atomistic. This does not mean that the Northeastern Algonquians are potentially, or latently, highly aggressive, hostile people.<sup>7</sup> It only means that a psycho-cultural system of controls over in-group aggression must be used as social insurance, in the absence of a formalized, authority-centered system of control.

Among the Southwestern Pueblo peoples, where a superficially similar pattern of restraints on the expression of interpersonal, in-group aggression oper-

ates, the sociocultural setting is quite different; and the psychological process becomes altered. These societies are highly organized into communities governed by differentiated theocracies and structured by various interlocking and overlapping categories of kin, maternal clans, and ceremonial societies. The stress is on conformity to the rules of the group, with the theocrats as censors. That all is not peaceful with the Pueblos is indicated by considerable bickering, gossip about even a light deviation from social norms, robust teasing of children by the special classes of relatives so privileged, and open breaks of intragroup hostility that have resulted from time to time in the splitting of villages, with one of the factions going off to establish a new community.<sup>8</sup>

In the Pueblos the stress on overt interpersonal amiability, on constraint of direct interpersonal aggression, on avoiding the spotlight and not boasting, on conformity, helps maintain a tightly organized system of sociopolitical controls, in contrast to the situation in the Northeast. This support apparently operates in part as a cultural compensation for the potentially disruptive effect of strong covert hostilities—and indeed the covert hostility may be in part a result of the tight system of controls—so the psychological and sociocultural systems interact to maintain each other. It thus appears that atomistic Algonquians and organized Pueblo peoples both exercise exceptionally strong psy-

<sup>6</sup> See A. I. Hallowell, "Some Psychological Characteristics of Northeastern Indians," in: F. Johnson (Ed.), *Man in Northeastern North America*, "Papers of the Robert S. Peabody Foundation for Archeology," Vol. 3 (1946), for an analytic description of the pattern.

<sup>7</sup> The projective test data from this area do not indicate high aggressiveness or hostility, although tribes do apparently vary in the degree and pervasiveness of anxiety. See the several papers on this and related subjects in A. I. Hallowell, *Culture and Experience*, Philadelphia: University of Pennsylvania Press, 1955; and G. D. Spindler, *Sociocultural and Psychological Processes in Menomini Acculturation*, "Culture and Society Series," Vol. 5 (Berkeley: University of California Press, 1955).

<sup>8</sup> The social psychology of the Pueblos has been a matter of some dispute. For support of the interpretive sketch we are drawing here, see Aberle, *op. cit.* (note 5 *supra*); L. W. Simmons, *Sun Chief* (New Haven: Yale University Press, 1942); F. H. Ellis, "Patterns of Aggression and the War Cult in the Southwestern Pueblos," *Southwestern Journal of Anthropology*, Vol. 7, No. 2 (1951), pp. 177-201; W. Bennett, "The Interpretation of Pueblo Culture: A Question of Values," *Southwestern Journal of Anthropology*, Vol. 2, No. 4 (1946), pp. 361-74.

cho-cultural sanctions against the overt expression of interpersonal, in-group aggression; but these sanctions support different sociopolitical systems by controlling psychological processes of different intensity.

The point has been made that the mechanisms for releasing and controlling aggression must be formed out of cultural materials peculiar to each situation, irrespective of cross-tribal commonalities, but that the emphasis on control of aggression is a central focus in these highly diverse cultural situations.<sup>9</sup>

#### PSYCHOLOGICAL STRUCTURE AND CULTURE CHANGE

That the bio-emotional and cognitive-perceptual organization shared by a group of people, and often referred to as "basic personality structure," is quite stable over time and through different levels of manifest culture change is one of the better documented generalizations of significance to our topic. This stability of psychological pattern may be described, as did Scudder Mekeel in his study of the Teton Dakota, as a retention of "values and attitudes behind the concrete pattern of culture."<sup>10</sup> He demonstrates how bravery, generosity, fortitude, and moral integrity, basic values of the past embodied in the conception of the "good man," survive despite their dysfunctional role in the modern situation. For example, the very high value placed upon generosity expressed in the

giving of goods at most important social occasions and in the hospitality extended to relatives and friends makes the accumulation of property necessary to the goal of material success in American culture very difficult. In fact, if a Teton Dakota does become successful in the white man's eyes and in terms of accumulation of property, he necessarily loses his security-giving membership in the Indian primary group, as long as that group lives by values derived from the Dakota past.<sup>11</sup> Unless white society has a rewarding place for him he will become an isolated and unhappy individual.

The stability of psychological pattern may also be described in terms of highly generalized attitudes, such as the belief in immanent justice, which are considered indicative of basic world view. Laura Thompson explores to this purpose responses to psychological devices like the Thematic Apperception, Moral Ideology, and Emotional Responses tests by Indian children 6 to 18 years of age in five tribes: Zuni, Navaho, Papago, Dakota Sioux, Ojibwa. She finds evidence that world view in each tribe is congruent with the aboriginal mode of life and that these world views have apparently persisted despite great changes in the economy, social structure, and manifest culture.<sup>12</sup>

The most striking evidence for the persistence of psychological structure is provided by the work of A. Irving Hallows. He administered Rorschach projective tests to several hundred Ojibwa men, women, and children living at three different levels of acculturation. These

<sup>9</sup> We recognize that all psycho-cultural systems include mechanisms for handling aggression. What is uniquely Indian about this is that the controls of aggression are highly developed and are linked with a nondemonstrative emotional mode that results in at least an appearance of interpersonal amiability in many, if not most, tribal and areal personalities.

<sup>10</sup> H. S. Mekeel, *The Economy of a Modern Teton Dakota Community*, "Yale University Publications in Anthropology," No. 6 (New Haven: Yale University Press, 1936).

<sup>11</sup> For an insightful discussion of the role of the primary group in a similar situation (Mandan-Hidatsa), see E. Bruner, "Primary Group Experience and the Process of Acculturation," *American Anthropologist*, Vol. 58, No. 4 (1956), pp. 605-23.

<sup>12</sup> Laura Thompson, "Attitudes and Acculturation," *American Anthropologist*, Vol. 50, No. 2 (1948), pp. 200-215.

Indians varied in the degree to which their sources of subsistence, social organization, religion, and language approximated aboriginal or modern American culture. Hallowell's conclusion is dramatic; while the Ojibwa appear more and more like whites at the most acculturated levels in the manifest aspects of culture—dress, language, religion, and so forth—there is . . . “no evidence at all for a basic psychological shift in a parallel direction.”<sup>13</sup> What shifts do occur are regressive and disintegrative. They do not fundamentally alter the basic psychological structure; they merely corrode it.

The Spindlers did a study along somewhat similar lines of Menominee Indians with four distinct levels of acculturation, from a native-oriented base to a thoroughly acculturated, white-collar group. All the Menominee lived on the same reservation community. Without becoming involved with various other phases of the problems studied, we can note that the conclusions drawn concerning stability and retention of psychological structure were fundamentally the same as those of Hallowell, insofar as the samples are comparable. But there is this important difference: the Menominee situation provided a group of Indians who had attained occupational and social positions equivalent to those of high status in the nearby white towns. This was due to the presence of a Menominee-owned and managed lumber industry. The modal psychological structure exhibited by a sample of the men in this elite group departed dramatically from that exhibited in native-oriented and culturally transitional levels. It constitutes a psychological transformation, a reformulation of personality in successful adaptation to the demands

of status achievement, punctuality, and the linkage of work and success appropriate to the middle-class American value system. This suggests that significant psychological changes do occur when the barriers to achievement on the white man's terms are broken down, and the new adaptation thereby becomes rewarding rather than punitive.<sup>14</sup>

#### PSYCHOLOGICAL STRUCTURE AS A PERCEPTUAL SCREEN

What has already been said about the stability, sometimes dysfunctional stability, of psychological structure in culture change situations, suggests the determinant role of personality as a selective, perceptual screen. In the absence of clearcut and meaningful rewards for psychological readaptation, the psychological structure based upon the survival of attenuated traditional culture will block out whole areas of the new cultural environment and makes possible the learning of only limited techniques of white culture as necessary accessories to getting along in today's world.<sup>15</sup> But the selective role of psychological structure goes beyond this. Two instances of those described in the literature will be noted.

Anthony Wallace cites the absence of fear of heights, a penchant for alcohol, and the lack of anal-reactive (retentive) traits (with the presence of so-called “oral” traits) in the modal personality structure of the Iroquoian Tuscarora as significant aspects of the “sorting screen,” with the following results.<sup>16</sup> About one-third of the Tuscarora adult

<sup>14</sup> See G. D. Spindler, *op. cit.* (note 7 *supra*).

<sup>15</sup> This has also been noted by E. Bruner, *op. cit.* (note 11 *supra*), and for the Sioux by E. H. Erikson, *Childhood and Society* (New York: W. W. Norton & Company, 1950).

<sup>16</sup> A. F. C. Wallace, “Some Determinants of Culture Change in an Iroquoian Community,” in: W. N. Fenton (Ed.), *Symposium on Local Diversity in Iroquoian Culture*, Bureau of American Ethnology, Bulletin 149 (1951), pp. 59–75.

<sup>13</sup> A. I. Hallowell, “Ojibwa Personality and Acculturation,” in: Sol Tax (Ed.), *Proceedings and Selected Papers of the 29th International Congress of Americanists* (Chicago: University of Chicago Press, 1951), p. 112.

males are workers on high steel construction and are sought after by contractors because they lack the mildly phobic fear of heights normal in whites. The Baptist Church and Temperance Society flourish on the reservation to reduce the incidence and severity of drinking. The Tuscarora refuse to become "anal-reactive" whites. That is, they do not save money, keep appointments punctually, or compulsively tend to the maintenance of their possessions—fields, cars, homes, and equipment—despite one hundred and fifty years of attempts (by whites) by persuasion, example, and punishment, to make them do so.

In an interesting research, Evon Vogt and John Adair studied the attitudes towards veterans of World War II, the acceptance of the innovations they brought back with them, and the reintegration of the veterans in their home communities among the Navaho and Zuni.<sup>17</sup> The Zuni requested large numbers of deferments for men in religious offices when the draft began; and when the draft board asked that deferments be requested only for men who held these offices for life, the Zuni filled lifetime offices that had not been occupied for years and revived ceremonials that had become defunct. When the Zuni veterans returned, they were met with a solid front of conservatism. Deviant behaviors of any sort were gossiped about, and strong pressures were exerted by the priests and others to make veterans conform to the traditional Zuni norms and reintegrate into the traditional statuses and roles provided by Zuni social structure. The veterans who could not conform left the community.

In contrast, hundreds of Navaho males enlisted, few deferments were requested,

and there was no increase in ritual activity to keep medicine doctors or religious functionaries at home. When the Navaho veterans returned, they were greeted with interested curiosity, the pressures to conform were not intense, and some have been active innovators since then.

Adair and Vogt point to Zuni and Navaho differences in sociocultural systems, patterns of warfare, and degree of curiosity about the outside world as antecedents of the selectively variant responses to the contact processes of which returning veterans are a part. In short, the tightly organized and inflexible, community-oriented and centripetal Zuni selected differently from the same stimuli than did the more loosely organized, more flexible, more outward-oriented Navaho.

Psychological structure appears to be associated with differential selection of alternatives available in culture change situations. The process can be seen as large in scope as one views the adaptations of tribes in whole culture areas to the impact of European-American culture. But space forbids further discussion except to note a word of caution—that the *conditions* of contact are often so massively determinant that the psychological structure of the people may affect the response to contact but not the end result, as in the numerous cases in North America where forcible removal, destructive forms of religious proselyting, epidemics, or military action virtually destroyed whole societies and cultures.

#### PSYCHOLOGICAL TYPES GENERATED IN CULTURE CHANGE

Now we reverse the relationship between psychological structure and culture change described so far. We will discuss certain personality types and psychological processes generated in the melee of culture change and culture con-

<sup>17</sup> John Adair and Evon Vogt, "Navaho and Zuni Veterans: A Study of Contrasting Modes of Culture Change," *American Anthropologist*, Vol. 51, No. 4 (1949), pp. 547-61.

flict. While we will draw to a large extent from our own observations of Indians we have known and studied,<sup>18</sup> the parallels with other situations are such that generalization is possible.

The major criteria for similarity are that a "native-oriented" or "least acculturated" category of individuals, oriented predominantly towards the traditional culture, exist in the tribal community; that varying degrees of culturally transitional states be represented; and that some individuals or groups be so acculturated to white norms that they are potentially capable of being assimilated into the contemporary American social and occupational structure. These conditions obtain in varying degrees and with unique ramifications on many, but not all, Indian reservations in this country.<sup>19</sup> In some cases whole tribal communities fall into one or another of these acculturative categories. The Western Pueblos, for example, can be considered native-oriented societies. And the Southern Ute appear to function, as a whole, at an apathetic, disorganized, transitional level of adaptation.<sup>20</sup> With this introduction, we will sketch some of the psychological types, representing kinds of personal-social adaptation to the conditions of life brought about by the impact of European-American culture upon American Indians.

<sup>18</sup> The authors' major field work has been done with the Menominee. We have also made excursions of short duration to Chippewa reservations in Wisconsin, did a brief psychological study of Winnebago Peyotists in 1954, and visited the Walker River Paiute, and Eastern Pueblo peoples. Statements concerning Menominee personality are based on analysis of Rorschach tests, autobiographies, interviews, and participant observation.

<sup>19</sup> See, for example, F. Voget, "Crow Socio-Cultural Groups," in: Tax (Ed.), *op. cit.* (note 13 *supra*), pp. 88-93; and E. Bruner, *op. cit.* (note 11 *supra*).

<sup>20</sup> As described by O. C. Stewart, "Southern Ute Adjustment to Modern Living," in: Tax (Ed.), *op. cit.* (note 13 *supra*), pp. 80-87.

## NATIVE TYPE

This type was raised as an Indian, had only marginal contacts with whites and white culture, and lives in a world perceived and patterned by the symbols and motivation of the traditional culture. He thinks and acts Indian, and speaks as one in both a figurative and literal sense. He will represent the modal, aboriginal personality type of whatever tribal group he is a member. As a Menominee, his emotional and intellectual range is limited without being attenuated, his emotional balance highly controlled without being constricted. He is sensitive to others' feelings, but not imputative. He accepts the dictates of fate, retains equanimity under duress, and achieves control under provocation. He avoids any action that will arouse another's anger or hostility, partly because he fears retaliation in the form of sorcery. His fantasy life is active and functions within a world where men and animals transform into each other, and where dreams provide inspiration and guidance drawn from the pool of supernatural power in which all beings and objects float. His personality is adequate within the traditional setting, but he is quite unequipped, psychologically and technologically, for competition in the modern socioeconomic system. He is aware of this, and is nostalgic for the life of the past, but regretfully comprehends the futility of wishing for its return. Almost by definition he is aged, and as an elder he constitutes part of the slim stock of leadership stemming from the past and providing continuity for the native-oriented group. With him, the ancient culture will die in its comparatively vigorous and comprehensible form.

## REAFFIRMATIVE NATIVE TYPE

This type is usually represented by younger men. He was raised Indian,

and frequently by grandparents, but has experienced comparatively wide and intensive contact with white culture through years of boarding school, intermittent occupation with the white economic system, and usually has traveled outside the reservation. For one reason or another he encountered blocks in his adaptation to white culture, and may not have been strongly motivated to adapt in the first place. He has rebounded from white culture back to the tradition-oriented primary group maintained by geographical isolation and the influence of elders within the reservation community. His psychological position is, therefore, different from that of the first type, even though he is a member of the same primary group. He has some doubts about the traditional culture that he has to submerge by compensatory and self-conscious identification with the native-oriented group. Because of this, for him the native-oriented group and its affirmation in ceremonial form assumes some of the character of a "nativistic" movement.<sup>21</sup> He is ambivalent about whites and white culture, and unlike the elder, has some doubts about his personal adequacy in the Indian as well as in the white man's world. His personality, however, is modally like that of the native type, but clouded by his doubts and ambivalence, distorted somewhat by his compensations, and attenuated in some degree through cultural loss, since he has learned no one culture fully. This type probably constitutes the largest portion of most native-oriented groups existing in contemporary reservation communities.

<sup>21</sup> The literature on "nativistic movements" is extensive. For recent analyses, see F. W. Voget, "The American Indian in Transition: Reformulation and Accommodation," *American Anthropologist*, Vol. 58, No. 2 (1956), pp. 249-63, and A. F. C. Wallace, "Revitalization Movements," *Ibid.*, pp. 264-81.

### TRANSITIONAL TYPES

In one sense all Indians are in transition. Here we are referring to the types of individuals who are clearly suspended between the white and Indian ways of life, and are not identified strongly with either native-oriented or acculturated social primary groups. They are marginal men. There is no one transitional type, even in this restricted sense. But all of the discernible types are marked by at least one feature held in common; they are, as Hallowell concluded for the Ojibwa, still fundamentally Indians in basic psychological structure, even though this structure is badly corroded by regressive breakdown. The breakdown, among Menominee at least, is represented particularly in loss of emotional controls that are so important in the traditional setting, in a reduction of active fantasy life, and in the development of marked anxieties accompanied by outbursts of overt and sometimes very destructive hostility. These transitional people are unpredictable. They are capable of great generosity and hospitality and are also capable of dangerous violence, particularly when drinking—and they drink frequently. They are the unknown quotient in tribal decision-making and shift abruptly from one stance to another in general councils where problems of tribal policy are thrashed out. Since they constitute a sizable portion of most tribes today, their psychology must be taken into account in attempts to develop rational and progressive withdrawal programs designed to eventuate in completely independent status.

More space would allow us to describe the variants in transitional type. We can only note that the unpredictable, aggressive type probably represents the majority, but that passively withdrawn, and acculturation-oriented types also exist in significant numbers. One has

given up and is vegetating; the other has set his sights on achievement in white terms and is trying to acquire the necessary techniques, with varying degrees of success.

#### A SPECIAL DEVIANT TYPE

In many reservation communities there exist various special religious bodies such as the Peyote Cult or Shaker Church.<sup>22</sup> These groups and the religious observances associated with them constitute a variant solution to the problems of culture conflict and self-doubt engendered by the culture change situation. They provide, through the primary groups they make available, a social reference point for the free-floating, marginal individual. They also provide a more or less coherent rationalization of the culture conflict itself, since in their religious observances and the premises behind them, white and Indian patterns of belief and behavior are intermingled.

The Peyotists among the Menominee represent, modally, a particular personality configuration. They exhibit a high degree of self-involvement in their fantasy life, retrospect about their past lives, ruminate about their sins and about the hope of salvation, and are preoccupied with the symbols and meanings of Peyote ritual and rationale. They are anxious people, who introspect rather than project their anxieties in outbursts of violence. Though they exhibit a certain "schizoid" tendency in their intense self-concern and introspection, they are sufficiently reality-centered to earn a living and live lives that on the whole are better ordered than those of the ungrouped transitionals, with whom they share the experience of cultural disorganization and culture conflict.

<sup>22</sup> Voget and Wallace, *Ibid.*; and G. D. Spindler, "Personality and Peyotism in Menomini Indian Acculturation," *Psychiatry*, Vol. 15, No. 2 (May 1952), pp. 151-59.

Though the Shaker Church and other similar institutions are not directly comparable to the Peyote Cult in commandment or ceremonial, they satisfy many of the same needs in culture change among American Indians and may therefore be selective of, and support, some of the same personality traits, it is hypothesized.

#### ACCULTURATED TYPES

Acculturation processes among American Indians do not necessarily eventuate in the emergence of middle-class American personalities or culture patterns, even when they run full course. Acculturative adaptation may occur to a middle-class standard, a laboring class pattern, or move in the direction of the cultural norms and values of variant local subgroups with whom Indians come into contact. Therefore, acculturated psychological types are not all the same.

We will describe a personality type that is represented modally among elite acculturated Menominee Indians who have adapted to a middle-class socioeconomic and cultural pattern of norms. This acculturated type does not display the stoic control of emotions characteristic of the native type, nor does it exhibit the anxiety and unpredictable hostility of the transitional type, nor the self-involvement and search for resolution of personal and cultural conflict of the Peyotists. In the psychological constellation of this type, emotions and aggressions are highly channelized toward the achievement of success, exhibited in economic and occupational attainments and the accumulation of property. Anxiety is present, but is integrated with the personality structure as generalized tension, which helps make the individual quick to respond and keeps him moving toward his goals. The range of intellectual interests is comparatively broad and the fantasy life vigorous, but not particularly introspective. In short,

this type is the achievement-oriented middle-class American personality. It constitutes a marked psychological departure in the Menominee continuum of adaptations and requires a dramatic rechannelizing of energies and capacities. It is probably not represented in many reservation communities today, for when a person reaches this state in most situations, he leaves the reservation and is assimilated into the American social structure. The rewards at home must be high to keep him there.

#### PSYCHOLOGICAL DIFFERENCES BETWEEN MALES AND FEMALES

We have written as though all psychological types were males. This has been a necessary convenience, but the matter cannot be left there. Women, among the Menominee, exhibit consistent, over-all, differences from the men, in psychological adaptation to the exigencies of culture change. They are less anxious, less tense, react more quickly in problem-solving situations, exhibit less loss of emotional control, are more limited in intellectual interests and experience, and are less introspective.<sup>28</sup> The women also exhibit more

consistent retentions of basic Menominee values through all levels of acculturation than do the men. These differences seem to be accounted for in part by the fact that the basic roles of women as mothers, wives, and social participants change less than do the subsistence-based and more public roles of men, so that the past and the present have greater continuity for women.

As a consequence of these significant and consistent differences, Menominee women within each acculturative category in the reservation community exhibit psychological adaptations somewhat different from those of men in the same categories. Most of the intra-category differences can be traced to the greater continuity of women's roles and express various permutations of the overall differences in psychological structure and value retention stated above. But limitations of space prevent further discussion.

To what extent the male/female differences in psychological adaptation to culture change exhibited among the Menominee are present in other tribal communities is an open question. Data available for a number of Indian tribes suggest that fairly wide generalization may be possible.

<sup>28</sup> These statements are based on statistical tests of difference applied to male-female Rorschach scores and to comparative analyses of autobiographies. See L. S. Spindler (Mary L.), "Women and Culture Change: A Case Study of the Menomini Indians," unpublished

Ph.D. dissertation, Stanford University, 1956, for these data and further analysis of psychological adaptations among Menominee Indian women.



# The Integration of Americans of Indian Descent

By EDWARD P. DOZIER, GEORGE E. SIMPSON, and J. MILTON YINGER

**Abstract:** The place of Indians in American society may be seen as one aspect of the question of the integration of minority groups into the social system. Only by maintenance of freedom for cultural variation can a heterogeneous society keep conflict at a minimum; individual freedom is a widely shared cultural value. Integration means a unity that permits differences and opposes only differences that lead to discipline conflicts. It implies full equality in health services and in educational, political, and economic opportunity among all groups. In asking what shall be the place of Indians in American society, the authors give an analysis of the conditions that favor or hamper integration.—Ed.

**M**OST studies of American Indians are concerned with one tribe or with a related group of tribes. The wide variations in culture and in experience make it necessary, in the examination of many current questions, to focus on particular groups. In some ways, however, Indians have shared and continue to share a common situation. All of the cultures have been affected, although to different degrees and at different rates, by the impact of the dominant society. All groups have been influenced by the legal patterns and administrative policies of the government. None has escaped the effects of the changes in law and policy. The authors of the papers in this volume, while concerned with the range of variation among Indians, have sought primarily to sketch a picture of their common experience.

It may be useful now to view "American Indians and American Life" from an even broader perspective. The place of Indians in American society may be

seen as one aspect of the question of the integration of minority groups into the social system. Such important developments as the passage of laws terminating the Indian status of several tribes since 1953 and the Supreme Court decisions outlawing segregation have focused the attention of the nation sharply on the place of its minority groups. The study of integration takes us into fundamental scientific and policy questions. What is the nature of the unity of a mobile and complex society? It cannot rely on what Durkheim called the "mechanical solidarity" of the relatively undifferentiated society. A free society repudiates any thought of integration based on coercion. Is it possible to maintain the unity necessary to a society while permitting a wide range of cultural values and group allegiances? Most social scientists are convinced that it is possible. Indeed, they are likely to declare that *only* by maintenance of freedom for cultural variation can a heterogeneous society keep conflict at a

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minimum, preserve the flexibility necessary in a time of rapid change, and support the cultural value, so widely shared, of individual freedom.

From this point of view, the integration of American Indians does not imply their absorption into some dominant homogeneous culture. Freedom to be completely assimilated as individuals would be a live option; but freedom to be related to the total society as culturally differentiated groups would be equally possible. This point of view, however, is not accepted by everyone. After centuries of contact between the Indian cultures and the dominant groups, America has not yet formulated a policy to which there is anywhere nearly universal assent, either among Indians or on the part of policy makers. To some, *E pluribus unum* means that a new unity will be woven out of the diverse strands of our society, each group perhaps contributing to the total social and cultural life, but losing its separate identity. This we shall call assimilation. To others, *E pluribus unum* means a more complicated kind of unity, one that permits differences and even welcomes them as contributions to the richness of society. Only those differences that lead to disruptive conflicts are opposed. This interpretation implies, moreover, full equality in health services, in educational, political, and economic opportunity among all groups. This we shall call integration.

What shall be the place of Indians in American society? It is not our purpose to outline policy, but to point to certain facts that set limits to policy. Formulas often fail because we do not recognize the effects of all the conditions under which they must be carried out. What are the realistic alternatives; what programs seem doomed to failure? Few will deny, for example, that it is no longer possible to preserve aboriginal Indian cultures unchanged.

Roads, cars, radios are going to become more common, not less. It seems unlikely that the trend toward public-school education for Indian children in mixed schools will be reversed. An Indian young man after service in the armed forces does not return to his tribe unchanged. The increasing inadequacy of the tribal land base to support the growing population will continue to encourage some Indians to seek employment in cities.

Such facts as these are far more readily taken into account in policy formation than the more surprising facts of the opposite kind. Despite long contact with an overwhelmingly more powerful system, many Indian cultures have retained their vitality. In an earlier paper in this volume, Vogt has shown that Indians have added items of material culture from the surrounding society much more readily than they have changed basic aspects of their social organization and religion. The Spindlers have shown how much continuity there is in basic personality structure even in the face of cultural change. Tribal organizations are kept intact by a process which draws the most acculturated members out of the group, leaving the conservative members behind to perpetuate the ancient ways. One may regard this continuity in the Indian style of life as a happy or an unhappy fact. What one may not do is disregard it. American Indians are being and will continue to be integrated into the total society only in ways that give full recognition to their personal tendencies and motives, the power systems within tribes, and the opportunities available to them outside their groups.

#### "INDIVIDUAL" VERSUS "GROUP" ASSIMILATION

Much of the concern over the presumed lack of assimilation and integra-

tion of American Indians into the total American culture may stem from a misunderstanding of early Colonial and United States' relations with American Indians. As both D'Arcy McNickle and Theodore Haas make clear in previous papers in this volume, American Indians were considered sovereign groups or separate nations from the time of the English colonies virtually to the present. Removal of the Eastern Indians to the region west of the Mississippi and the creation, later, of reservations demonstrate this policy of treating Indian tribes as separate, sovereign groups.

Few Indian tribes have disappeared completely. Since attempts to exterminate whole groups were almost always thwarted, most American Indian groups in existence at the time of initial white contact are still present. The Indian population declined until 1900, but after that date, as Hadley's paper shows, significant and even spectacular population increases are evident for most tribes. The fact that virtually the same groups of Indians encountered by the original settlers are still represented strikes some Americans as surprising, especially in the light of the recent "integration" climate. In terms of the "melting pot" conception of democracy, the American Indian situation indicates that these people are not being absorbed or assimilated into the dominant American culture. Indeed, American Indian groups still retain many aspects of their own distinctive ways of life and have in only rare instances become "Americanized." It is clear, in fact, that our relations with them in the past have mitigated against assimilation. One must recognize, however, that despite the relative lack of assimilation of Indians as groups, the process of integration, which permits cultural pluralism, has moved forward. There are still ongoing Indian communities, differing from one another and differing from the dominant American cul-

ture, yet forming parts of a complex society.

Even the "melting pot" notion of democracy, however, has not been completely negated. Because of historical relationships between American Indians and the majority population, and because Indian groups persist, we have been relatively unaware of another process. This process has rarely been reported in the literature. The important fact is that through the years many individual Indians have passed into the main American cultural stream. Although exact figures are difficult and perhaps impossible to get, there is reason to believe that the number has been large. It is possible that as many Indians as are enrolled as tribal members today have been absorbed into the larger society. Throughout the country there are ordinary "white" American citizens, and "Negroes" as well, with enough Indian admixture to entitle them to be enrolled on a reservation. The reason that such individuals are not enrolled is that often a full-blood Indian who left his reservation and married an Indian from another tribe, a Negro, or a white, did not care to enroll his children in his own tribe—or that of his wife's tribe if she were Indian—or did not want to bother with the technicalities. In the case of a man marrying a white or Negro woman, his children and his children's children would all have been entitled to tribal enrollment as defined in many reservations because they possessed one-fourth or more "Indian blood." Thus the individual Indian who leaves his group and his descendants, including individuals up to the third degree of kindred, are excluded as Indians. The children growing up in an environment that is not Indian become, of course, culturally American and racially either white or Negro. This "drifting out" process was certainly an important factor in the American South-

west. There was a tremendous increase in Spanish-American population in this area in the years from 1700 to 1900, from approximately 10,000 to 150,000, an increase which cannot be explained on the basis of natural increase and immigration from Mexico. Indeed, we have conclusive evidence that the population was fed from Pueblo, Navaho, and Apache Indian groups.<sup>1</sup>

Governmental policies of Britain and the United States, then, have tended to perpetuate American Indians as separate and distinct groups, but these policies have not prevented the movement of individuals and families out of Indian communities.

In the assimilation of individuals, as La Farge points out, many of the Indians who make the best adjustments and who have been the most successful in the dominant American cultural system have come from conservative, on-going cultural groups.

American Indians appear not to assimilate as groups, unless rewards for doing so are available in their indigenous environments. There are few instances of such successful transitions, although a favorable reservation locale with rich natural resources may bring them about. The Spindlers describe such a case among a group of Menominee who have undergone a psychological reorientation. This Menominee example is a rather special case, however. Most Indians are assimilated as individuals, leaving their communities voluntarily to seek a livelihood elsewhere. Once they surmount social and economic barriers, they often remain indefinitely in new occupations and surroundings quite different from those of their reservation communities.

Thus historical evidence from specific

<sup>1</sup> See Frederick Webb Hodge, *Handbook of American Indians, North of Mexico*, Smithsonian Institution, U. S. Bureau of American Ethnology, Bulletin 30, Part 2 (Washington, 1912), p. 325.

American Indian communities indicates that voluntary movements out of these communities have been going on for a long period of time. The reservation system has not in the past and does not now hinder this process. The most likely to adjust to new conditions, in fact, appear to be those who move out of long and firmly rooted communities. Termination of federal governmental services and the breakup of reservation communities would appear not to enhance or speed up integration. There is evidence that some maladjustments would result in the home communities and that the American cities and towns which receive these Indians would face various problems of rehabilitation.<sup>2</sup>

#### CONFLICTING ASSUMPTIONS CONCERNING INDIAN AFFAIRS

Assumptions which seem to have underlain much of federal policy with respect to American Indians are that assimilation is inevitable<sup>3</sup> and that it is desirable.<sup>4</sup> Neither belief is fully warranted. Concerning the first point, McNickle points out that even during the Colonial period it was assumed that Indians would take over European ways, and Havighurst states that the education provided by whites for Indians has always sought to teach white culture. Since constant and strong external pressures for more than a century have not produced a loss of community identity and full acceptance of American habits of thought and conduct, assimilation is not to be expected within a few generations.<sup>5</sup> The second assumption, as seen in Senator Watkins' view of "freeing"

<sup>2</sup> See Le Verne Madigan, *The American Indian Relocation Program* (New York: Association on American Indian Affairs, 1956).

<sup>3</sup> John Provinse and others, "The American Indian in Transition," *American Anthropologist*, Vol. 56, No. 3 (June 1954), p. 388.

<sup>4</sup> Edward Spicer, Letter to Editor, *American Anthropologist*, Vol. 56, No. 5 (October 1954), p. 890.

<sup>5</sup> See E. Z. Vogt's article in this volume.

the Indians, is challenged by those who oppose "forced" assimilation. The latter feel, as Oliver La Farge says, that assimilation should occur after a tribe has reached social and political competence and on the basis of individual preference. A third attitude influencing Indian policy is that the Bureau of Indian Affairs is "harmful because paternalistic and restrictive of individual freedom, as well as wasteful of public funds,"<sup>6</sup> a belief that supports recurrent moves to abolish the Bureau.

Other assumptions are common, if not universal, among Indians. They include: (1) over the years, the Indian can expect no consistency in policies regarding him, (2) the interests of the dominant society will take precedence over the interests of Indians in any policy decision, (3) the Indian can do little to affect decisions concerning Indians, (4) the turning over of Indian affairs to the states is inevitable, (5) a state administration is more likely to be hostile to Indians than is the federal administration.<sup>7</sup>

#### RECENT POLICIES AFFECTING INDIAN INTEGRATION AND ASSIMILATION

The two sets of assumptions mentioned above are related to different interpretations of certain historical developments. The Allotment Act of 1887, intended to detribalize the Indians, provided for dividing tribal reservations into individual land parcels. By 1933, 91,000,000 of the 138,000,000 acres owned by Indians in 1887 had ceased to be Indian owned. The Indian land that remained "on opened and allotted reservations was checkerboarded with white holdings—holdings which too frequently constituted the only access to

lands still held by Indians or controlled the only water supply available for working adjacent, arid Indian properties. . . ."<sup>8</sup> The Indian Reorganization Act of 1934 forbade the further allotment of lands of those tribes which voted acceptance of the Act. By various means, the Indian land base climbed back to 56,000,000 acres in two decades.

Since 1953, as indicated in the papers by Arthur Watkins and Oliver La Farge, laws providing for the termination of federal supervision over certain tribes have been passed by Congress. The Indian status of some tribes has been ended, and Concurrent Resolution 108, Eighty-third Congress, First Session (1953), provided for the extension of this policy as rapidly as possible. In May 1955, the Commissioner of Indian Affairs returned to the practice provided for in the Act of 1887, that is, the issuing of patents-in-fee to "competent" Indians who requested them. These policies are seen as forced assimilation by most reservation Indians, by some tribally enrolled nonreservation Indians, by many anthropologists, and by the Association on American Indian Affairs. They are regarded by many off-reservation Indians and by the members of Congress<sup>9</sup> as the measures which are most conducive to Indian integration.<sup>10</sup>

<sup>8</sup> *Indian Affairs*, No. 11, "New Series" (August–September 1955), p. 1.

<sup>9</sup> Joint Hearings Before the Subcommittees of the Committees on Interior and Insular Affairs, Congress of the United States, Eighty-Third Congress, Second Session on S. 2750 and H.R. 7319, Part 7 (Flathead Indians, Montana), February 25–27, 1954, *Termination of Federal Supervision Over Certain Tribes of Indians* (Washington: U. S. Government Printing Office, 1954), p. 819. During these hearings subcommittee members asked those who testified against termination if supervision should be carried on ad infinitum, if they think that the Indian is "not a very bright person," and if they are against segregation.

<sup>10</sup> Paul Jones, Chairman of the Navaho Tribal Council, after consultation with tribal

<sup>6</sup> E. Spicer, *op. cit.* (note 4 *supra*), p. 890.

<sup>7</sup> Ruth H. Useem, "Statement on 'The American Indian in Transition,'" *American Anthropologist*, Vol. 56, No. 3 (June 1954), pp. 393–94.

Opponents of termination offer the following reasons for their position: (1) many Indians are not prepared to enter the white world, and this world is not prepared to receive them; (2) the best corporations that Indians could form would not be an even match for such powerful corporations as the Montana Power Company; (3) taxes will increase because of the new burden which will come after individual Indians have sold their land and spent their money, or, in some cases, after they have been forced to seek new livelihoods because they no longer have tribal lands for cattle grazing; and (4) in ceding their lands to the United States the Indians made certain treaty bargains, and they are entitled to the benefits of those bargains.<sup>11</sup>

#### EDUCATION AND INTEGRATION

Education is an important part of the integration, or lack of integration, of Indians into American life. As Thompson points out, separate federal schools for Indians were established primarily as a result of the treaties entered into by Indian tribes and the federal government. Compensation for land given up usually included provisions for tax-free land at some other location and educational opportunities to be provided by the government. The government gave subsidies to schools established by missionaries in the early 1800's, and these responsibilities were expanded as a result of provisions in treaties made up to

1880 and in some additional cases where treaties carried no provisions for education. Following church-state separation discussions about 1870, the federal government began to withdraw support to mission schools and to increase the number of federal schools. At that time, most Indians lived in unorganized territories, and the majority were not citizens of the United States. In 1924, when citizenship came to all Indians residing within the country, education became a state responsibility. Since education is financed partially by local funds, the nontaxable status of Indian lands often presents financial problems to local districts. Language and cultural differences also pose problems that some local districts seem unable to handle. The Act of June 4, 1936 (49 Stat. 1458) provides financial aid to local districts where large blocks of nontaxable land are included within a school district, and special assistance can be given also to local districts, with proven financial need, which enroll large numbers of non-English-speaking children from homes "unaccustomed to modern ways of living." Much of the increased enrollment of Indian children in public schools is the result of assistance provided states and local districts under the provisions of this Act. Additional legislation (Public Law 874 and Public Law 815, both amended by Acts on August 8, 1953, plus the Act of August 12, 1955—69 Stat. 713) provided that Indian children from tax-free Indian lands may be counted as "federal impact" along with non-Indian children residing on other federal properties. These laws have also increased the public school enrollment of Indian children, and all long-range plans of the Bureau are aimed at public rather than federal schools for Indians.<sup>12</sup>

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"associates," asserted in a letter to Oliver La Farge, President of the Association on American Indian Affairs, that the policy of the present Administration of the Bureau of Indian Affairs "in opening the door for competent Indians to find their way into the stream of American economic life just like other citizens is a decision of courage and wisdom." *New York Times* (October 30, 1955), p. 59.

<sup>11</sup> Joint Hearings Before the Subcommittees of the Committees on Interior and Insular Affairs, *op. cit.* (note 9 *supra*), pp. 788, 927.

<sup>12</sup> We are indebted to Hildegard Thompson, Chief, Branch of Education, Bureau of Indian Affairs (letter of Sept. 12, 1955 and ear-

The Bureau provides some assistance to qualified Indians to pursue courses in higher education through counseling, a limited number of scholarships, loans, and grants from federal funds, information services, co-operation on foundation scholarship programs, and so forth.<sup>13</sup>

It is impossible here to indicate the many views and implications for integration of current policies concerning Indian education. One study found that 38 per cent of the children in Indian schools in 1946 were of normal grade or ahead of their expected grade as compared with 8 per cent in 1928.<sup>14</sup> Another study concluded that "the greater the degree of contact of the Indian child with the white man's culture, the higher he scores on educational tests."<sup>15</sup> Many public schools which Indian children at-

tend are all-Indian. Nevada's Supervisor of Indian Education Division finds that a most satisfactory situation exists where Indian students constitute a minority of the total school enrollment and that less satisfactory results are achieved where public schools are located on a reservation and the enrollment is entirely Indian.<sup>16</sup> Attitudes have changed considerably since 1928 when a state superintendent of public instruction wrote:

The Indian will never develop into much more than a very mediocre American citizen. The Elko school tried the amalgamating process for several years. Finally the board decided that it would segregate the Indian children from the white children. . . . It is our belief that Indian children should be provided with only such fundamental teachings as will fit them to make a living of a decent sort, through the use of simple tools, the simple elements of farming, cattle raising, gardening, washing, ironing, cooking, sewing, etc.<sup>17</sup>

The gradual integration of Indians into American life through education is being supplemented by some new economic opportunities, by somewhat greater political participation, and by improved health services. As the articles by Kelly, by McDermott, Deuschle, and Adair, and by Peterson make clear, the problems and the steps toward integration in education are similar to those found in other major life activities.<sup>18</sup>

### CONCLUSIONS

Several conclusions concerning the assimilation and integration of American

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lier article in this volume) for much of the factual material in this paragraph. Thompson states that great progress has been made by states and local districts in assuming educational responsibility for Indian children. Undoubtedly, this is true, but real problems exist in some states. One-fifth of Arizona's population is Indian, and more than 25 per cent of its area is included in reservations. Indian incomes are low, and they pay little in taxes. See J. E. Officer, *Indians in School* (Tucson: University of Arizona Press, 1956). A summary of this report is given in *The Christian Science Monitor* (December 5, 1956), p. 14.

<sup>13</sup> See Hildegard Thompson's article in this volume. Havighurst points out that only 200 Indians enter college annually. The Warm Springs Indians of Oregon have inaugurated an educational program which they hope will produce ten college graduates annually. A *New York Times* release (October 2, 1955) states: "Although the tribe was established on its 560,000 acre reservation 100 years ago and Indian Bureau schools have operated there since, there has never been a college graduate from the tribe."

<sup>14</sup> Shailer Peterson, *How Well Are Indian Children Educated?* (Washington: U. S. Indian Service, 1948), Summary Chapter, p. 6.

<sup>15</sup> K. E. Anderson, E. G. Collister, and C. E. Ladd, *The Educational Achievement of Indian Children* (Washington: U. S. Bureau of Indian Affairs, 1953), p. 77.

<sup>16</sup> Statement provided on September 19, 1955 by E. A. Haglund.

<sup>17</sup> State of Nevada, *Biennial Report of the Superintendent of Public Instruction* (1927-28), p. 37.

<sup>18</sup> See Zimmermann's article in this volume; also see La Verne Madigan, *op. cit.* (note 2 *supra*), and Edith Mirrieles, "The Cloud of Mistrust: The Plight of American Indians," *Atlantic Monthly*, Vol. 199 (February, 1957), pp. 55-59.

Indians stand out: (1) Indian groups residing on reservations (homelands) will continue indefinitely as distinct social units; (2) although Indian communities resist assimilation, they are constantly making adjustments to life around them; (3) although Indian cultures, as self-contained systems, will probably disappear eventually, this fact does not seem to many Indians to be "a reason for abandoning their present way of life";<sup>19</sup> (4) optional assimila-

tion on an individual basis, unlike forced assimilation, would leave the way open for assimilation to occur "at the speed and in the direction which the people themselves desire";<sup>20</sup> (5) even though many Indians continue to live in separate communities with some distinctive cultural patterns, integration into the life of the larger society can still take place.

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Springs Indian Community," *The American Indian*, Vol. 7, No. 2 (Spring 1955), p. 16.

<sup>20</sup> *Ibid.*, p. 17.

<sup>19</sup> Katherine and David French, "The Warm



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## SOCIOLOGY AND PSYCHOLOGY

LEONARD D. WHITE (Ed.). *The State of the Social Sciences*. Papers presented at the 25th Anniversary of the Social Science Research Building. Pp. xiv, 504. Chicago: University of Chicago Press. \$6.00.

On the twenty-fifth anniversary (November 1955) of the opening of the Social Science Research Building at the University of Chicago a three-day celebration was held during which papers were presented by members of the faculty and invited guests. These presentations make up the present volume, substantial in paper bulk and in scientific weight. Although the title would suggest a collection of compilations or review chapters, the majority of the essays consist of new explorations of or contributions to knowledge in the field. Social scientists, at Chicago and elsewhere, are likely to be excited by the offerings.

The contributions published in this volume come from leaders in anthropology, economics, education, history, political science, psychology, and sociology—all of the disciplines recognized in the Division of the Social Sciences at Chicago, except geography. (Geographers participated in the programs but apparently did not present

prepared papers.) There are also three papers dealing with the relationships between the social sciences and the humanities.

In a short notice like the present one, even a listing of all authors is impossible for lack of space. Mention of a few papers of special interest to the present writer and perhaps to readers of *THE ANNALS* should not, of course, be taken as suggesting invidious comparison. As new leads in theory I found particularly significant James G. Miller's "Toward a General Theory for the Behavioral Sciences," and Clyde Kluckhohn's "Toward a Comparison of Value-Emphases in Different Cultures," although I am getting a little tired of "toward" in the titles of such articles. Leo Strauss' "Social Science and Humanism" perhaps should be read following David Riesman's "Some Observations on the 'Older' and the 'Newer' Social Sciences." On the more "practical" side Herbert Emmerich discusses "New Bridges between Theory and Practice," and John Nuveen and Hans J. Morgenthau offer two papers on diplomacy. Other readers will be attracted by other subjects. Whatever their tastes may be in social science, I can assure them that the present volume offers a varied and satisfying menu.

JOHN GILLIN  
University of North Carolina

E. P. HUTCHINSON. *Immigrants and Their Children, 1850-1950*. Pp. xiv, 391. New York: John Wiley & Sons; London: Chapman & Hall, 1956. \$6.50.

The purpose of this volume is ". . . in part a survey and a guide to census data on immigrants and their children in the population and labor force." This work was prepared under the aegis of the Social Science Research Council in cooperation with the Bureau of the Census. It is a sequel to the Census Monograph, *Immigrants and Their Children: 1920*, by Niles Carpenter, published in 1927. Hutchinson's study traces the developments of the immigrants and their children since 1920.

The two works complement each other. While Carpenter's monograph dealt with the period that saw the close of free immigration to this country, Hutchinson's study concentrates on the period of restrictive immigration since the 1920's. He has, however, provided the reader with careful decennial summaries of the period 1850 to 1920 so that his work spans a century of census data, 1850 to 1950. I should add that the present volume contains very useful supplementary material in a number of scholarly appendices; this information will be of special interest to economists, sociologists, and demographers.

Some of Hutchinson's findings for the period 1920-1950 are of general interest. Despite the quota immigration system, based on national origin composition of the United States population, the foreign-born population ". . . continued to shift to the newer countries of origin after 1920." Among the foreign born the proportion of northwestern Europeans decreased while the proportion of southern Europeans and natives of the Western Hemisphere increased.

Hutchinson observes that the reduction of immigration has also contributed heavily to the aging of the foreign-born population. In 1920 the median age of this group was 40 years; by 1950 the median age of the foreign born was 56 years. He finds that since 1880 ". . . the foreign born have been outnumbered by their native-born children. In 1920 the latter exceeded in the ratio of about 5 to 3; and in 1950 the ratio advanced to 7 to 3. . . ."

Of interest is Hutchinson's conclusion

that native-born children of the foreign born, particularly in the period 1920-1950, do not continue the occupational specializations of their foreign-born parents. Furthermore, he finds that each national stock is in fact dispersed, though not uniformly, throughout the labor force.

Hutchinson has carefully refrained from interpreting these data in the larger context of United States economic growth or using these data as a basis for criticizing the current immigration legislation. In many ways, the data speak eloquently on these points. His primary purpose has been to analyze the data provided by the census from the standpoint of decennial comparability, accuracy and consistency, and to bring together in a single coherent form the various collections of census data on the foreign born and their children in this country. In accomplishing this objective Hutchinson has made an important contribution, providing basic source data that have been sifted, tabulated, analyzed, and edited. The appearance of his study at this time is certainly propitious in view of the current interest in revising our immigration laws.

ERNEST RUBIN

American University

OTIS DUDLEY DUNCAN and ALBERT J. REISS, JR. *Social Characteristics of Urban and Rural Communities, 1950*. Pp. xviii, 421. New York: John Wiley & Sons; London: Chapman & Hall, 1956. \$6.50.

This is one of the Census Monograph Series carried out by the Bureau of the Census and the Social Science Research Council. It is indeed a monograph and not for those who shy away from data-laden books. It analyzes, by use of census statistics, the relationship between community size, location with respect to metropolitan dominance, functional specialization, growth and regional location, and such population characteristics as sex, age, race, and nativity, family composition, marital status, occupation, income levels, and change of residence.

This leads the authors to employ an eleven-point continuum, as far as community size is concerned, rather than the more

simple metropolitan, urban, rural, and farm classification usually employed by the Census and by social scientists. This continuum has the urbanized area of 3,000,000 at the one extreme, the rural farm at the other. Their handling of the metropolitan community leads them to new and more specific definitions for "suburbs," "urban fringe," and "rural-urban fringe."

The technique employed, that of making nation-wide comparisons of population characteristics by size and type of place, function, and so forth, of necessity covers up more that is socially significant than it reveals. Even so, certain important findings are derived that can be obtained in no other way. At many points the authors have given alternate interpretations of findings, showing that they are well aware of the socially meaningful complications of the data being manipulated.

At many points, findings are those long known and presented by rural sociologists. At others, they are new and even surprising, as, for example, their finding that the growing community is not the one growing in economic opportunity as measured by men and women in the labor force. It is, rather, the community with greater opportunity in the "white-collar" occupations—for workers in commerce, government, entertainment, and so forth. Places on the decline are those with a large proportion of their population in manual jobs and manufacturing. These are facts. The social scientist can immediately think of a great number of possible explanations.

Considering the difficulty of the task, the authors have done an excellent job of developing unique approaches to this area of social data and have presented it in about as interesting a manner as could be, with frequent summaries, charts, and interpretative insights. This will provide not only an indispensable reference book but also will stimulate and guide further research.

PAUL H. LANDIS

State College of Washington

RICHARD D. LAMBERT and MARVIN BRESSLER. *Indian Students on an American Campus*. Pp. xi, 122. Minneapolis: University of Minnesota Press, 1956. \$3.00.

If one is hopeful about the intellectual and operational insights likely to come, for many fields, from sound studies in cross-cultural educational experiences, the field seems to have lagged unnecessarily. So it is comforting to welcome another thorough, albeit limited, study coming from the impetus given by the Committee on Cross-Cultural Education of the Social Science Research Council which so far takes pains to emphasize that such studies do not prove "foreign student exchange is of questionable value."

But one cannot assure that this and similar studies may not encounter the reaction—"I didn't need so much research to tell me *that*." Such an oversimplified attitude should not and certainly will not discourage workers in this most fruitful (and difficult) area of research.

This is a sociological study of the experiences of sixteen Indians, two Pakistani, and one Singhalese enrolled during one academic year at the University of Pennsylvania, with stress on the "student," "tourist," and "ambassador" roles. The authors mention the difficulty of integrating sociological and psychological approaches—"the methodological impasse arose over the use of non-directive versus directive interview techniques."

They take pains to develop the thesis "that the major determinants of the experiences of Indian students in the United States lie in India, not here, and that Indian sociocultural norms provide the primary context for their selection and interpretation of experiences in the United States" (p. 13). (Does this mean that zealous hospitality committees might relax a bit?)

The authors refer to "a remarkable uniformity and stability of images" of the United States (p. 55). "... It appears clear that an over-all orientation to a foreign culture is more than a simple summation of discrete images" (p. 69). Once the individual moves back to his home environment, "the ambassador role is forgotten and only the student and tourist roles retain their impact" (p. 90)—an observation drawn from the highly useful counterpart volume, John and Ruth Useem's *The Western-Educated Man in India*.

The volume contends that action programs cannot be based primarily on the reactions of Indian students while they are still in the United States. They (and the Useems) found no evidence that ease or difficulty of physical adjustment, comfort or discomfort, was substantially related to subsequent adjustment here or after return.

"We cannot emphasize too strongly that those aspects of the American experience that do not survive the long voyage home are illusory gains—or losses—in the cross-cultural educational process" (p. 92).

Many useful comments are developed in the book on our educational system, home life and the like. And I agree with the authors that "cross-cultural education is an interactive process, enriching the visited as well as the visitor, and future research might well seek out ways of maximizing the benefits to be derived from such cosmopolitan contacts" (p. 104). "Common sense" and sentimentality are not likely to be enough.

RICHARD H. HEINDEL

University of Buffalo

C. WRIGHT MILLS. *The Power Elite*. Pp. 423. New York: Oxford University Press, 1956. \$6.00.

Who runs the country? The power elite. Who are the power elite? They are the corporate rich and the war lords functioning in and through the political directorate.

The corporate rich are not just the metropolitan "400" nor the highly paid corporate executives, but both together and any other whose riches originate in the corporation system. The war lords are the generals and admirals, their role in American society profoundly intensified since World War II. The United States will for an indefinite period make the most of its crucial decisions—in diplomacy, nuclear research and development, taxation, economic policy, and the rest—on the basis of considerations of defense, considerations said to be technically too complex for common understanding and said usually to be necessarily secret. The profits and productivity of the economy rest on military decisions, and the effectiveness of military decisions rests on the ability of the production machine to

fill the orders. Under these conditions of "military capitalism," the absence of a genuine civil service to provide the 1500 or so key officials of the Federal government means that increasingly these positions are filled by the corporate rich and the war lords, or their representatives. Thus meet the three structural hierarchies of the state, the corporation, and the military.

This is the top, the power elite, powerful and consolidated by mutual interests and by the fine grid of conformity through which its ranks are replenished and perpetuated.

Below the top is the middle level of power where most of the activities of politicians take place, where debate flourishes (but only on minor questions), and where the visibility is high—as high as, at the top, it is low. Mr. Mills argues with a shade of anger throughout the whole book, but a special rasp of impatience pervades his dismissal of the "theory of balance." He has no use for the "romantic pluralism" about the social and political system of many contemporary writers who see a complex pulling and hauling among diversified interests as the means by which society's frictions are abated and its conflicts resolved. The middle levels simply do not deal with the crucial questions and, in fact, are often unaware of them, given the technical obfuscation and secrecy that surround the decisions that count.

And at the bottom has developed a mass society, distracted by the mass media, atomized, inattentive, ignorant, lacking any real set of coherent publics that might hold the reins of power by holding those in the strata above them responsible.

A result of it all is what Mr. Mills calls organized irresponsibility, resting on a "higher immorality" that results because the older codes of uprightness no longer grip men and women, "nor have they been replaced by new values and codes which would lend moral meaning and sanction to the corporate routines they must now follow."

The book is important (though I suspect somewhat longer than necessary). It tries to encompass in one frame a description and an explanation of the exercise of

national power in the United States. In such a book I, for one, am willing to be understanding of the blunt generalizations that will appear to many as indiscriminating, and sometimes inaccurate. Some critics will feel, moreover, that Mr. Mills has underestimated the limiting effects that middle-level activity and lower-level publics have on his top elite, and that he has overestimated the solidarity of that elite. These difficulties, which for some will be profound disagreements, would be eased if more were known, or could be said, about *what* the power elite does and precisely *how* it does it. Mr. Mills would be the first to seek and use more data. In the meantime he holds that the "idea of the power elite implies nothing about the process of decision-making as such: it is an attempt to delimit the social areas within which that process, whatever its character, goes on."

ALEXANDER HEARD

University of North Carolina

BERNARD BARBER. *Social Stratification: A Comparative Analysis of Structure and Process*. Pp. xix, 540. New York: Harcourt, Brace and Company, 1957. No price.

Periods of rising prosperity and rapid social change make for an increasing interest in the nuances of stratification. Our day is such a period. Books on etiquette are having a new vogue, the editors of *Fortune* have amused the literate public with the not too subtle snobberies in the offices of the American business enterprise, and Mr. Russell Lynes, of *Harper's*, has carefully delineated the various "brow levels" in our society, carefully stressing the superiority of the "Upper Bohemians." Of late, discussions of the "Wives of Management" and who gets the mohogony desk or the carpet on the floor, and which "brow" prefers the martini and which the little red wine, to say nothing of reproductions of advertisements for "Brooks Brothers" suits, have even seeped into the scientific textbooks in sociology.

Thus it is highly appropriate that American sociologists have shown an increasing interest in the problem of social stratifica-

tion since World War II. In recent years, according to Professor Barber, they have been producing some hundred articles and books annually on various aspects of stratification. And, like our standard of living, the production is rising.

Professor Barber's excellent and exhaustive study of *Social Stratification* fills an important need. Far more than a summary of the vast literature, it attempts to relate a wide variety of empirical findings to a comprehensive body of systematic social theory. This excellent book has the merit of being analytical and abstract while at the same time succeeding in covering most of the important substantive material in the literature of sociology and the other social sciences.

Its merits, however, lead to certain inherent defects. In analyzing "The Structure of Social Stratification Systems" (Chapter 4), for example, Professor Barber sums up Medieval Europe in one paragraph of thirty-one lines and Soviet Russia in another paragraph of only sixteen lines. At least for teaching purposes, one mistrusts abstract and systematic generalizations when they are illustrated with such brief concrete examples. In spite of this criticism, the most valuable thing about this book is the catholicity of Professor Barber's reading and his many examples from different societies in time and space, brief and superficial though they must necessarily be at times. This is especially true because so much of American sociological theory has been based on purely American empirical data.

The chapters on social mobility are the most detailed and comprehensive in the book. Professor Barber handles the subject in an objective manner, betraying only an imperceptibly slight bias towards the desirability of a more open class system in this country. In this connection, the book ends on an optimistic note: "As social science develops," writes Professor Barber, "social change can be planned and foreseen." But who, one may ask, will "plan and foresee" this change, and in whose interests?

E. DIGBY BALTZELL

University of Pennsylvania

SHELDON GLUECK and ELEANOR GLUECK.  
*Physique and Delinquency*. Pp. xviii,  
 339. New York: Harper & Brothers,  
 1956. \$6.00.

Continuing their long-term studies of five hundred delinquent and five hundred non-delinquent youths, Professor and Mrs. Glueck have prepared a study focussing upon the constitutional aspects. The overall design of their studies has been presented in more detail in *Unraveling Juvenile Delinquency* (New York: Commonwealth Fund, 1950). In brief, a sample of 500 delinquents was matched with a sample of 500 nondelinquents by the four variables of age, general intelligence, ethnic derivation, and residence in underprivileged urban areas. These two samples were then somatotyped, using a variant of the Sheldonian system, and categorized into four comprehensive classes of component dominance: endomorphic, mesomorphic, ectomorphic, and balanced (no dominance). One hundred nine personality traits and sociocultural factors were then statistically analyzed with reference to these four physique types. A technique for multiple comparisons was employed, and the results presented in tabular form with numbers and percentages for delinquents compared with nondelinquents for the four types, and also the significance of differences between physique types. The fundamental and explicit assumption is "... that when significant variation is present in trait incidence among body types of nondelinquents, there is reasonable ground to infer that the trait is essentially related to body type, that is, oriented in constitution, although removed from the genes by one or more steps." Thirty-eight out of 67 traits and 24 out of 42 sociocultural factors were found to be associated with delinquency but were not found to have a significant varied effect on the delinquency of the physique types, and were treated as the common ground of criminogenesis. Each of the physique types was then treated with reference to traits that distinguish the body type from the others: their *delinquency potential*, traits that exert a special influence on the delinquency of that type, and the sociocultural factors that exert a special influ-

ence on the delinquency of that type. Mesomorphs, for example, whom they consider the "core" of the delinquent group, are distinguished by being less sensitive, less aesthetic, less sensuous, and so forth. Among those traits that contribute selectively to their delinquency are low verbal intelligence, feeling of not being taken care of, destructiveness and destructive-sadistic trends, emotional instability, and emotional conflicts. Sociocultural traits that exert a special influence on delinquency of the mesomorph are: careless household routine, lack of family group recreations, and meagerness of recreational facilities. The authors attribute the excess of mesomorphs among the delinquents, a statistically significant excess, to the fact (as defined in this inquiry) that this physique type is more highly characterized by traits particularly suitable to the commission of acts of aggression and a relative freedom from inhibitions such as feelings of inadequacy, marked submissiveness to authority, emotional instability, and so forth. In treating the question of which boys among mesomorphs actually become delinquent, they call attention to their remarkable finding that most of the traits that have a special impact on their delinquency are *not usually typical of that physique*.

Sifting through the awesome number of tables, theories of causation, and interpretations, some seemingly mild deficiencies may be noted. In the prefatory remarks the authors note the struggle they had in finding an adequate statistical method, and they list authorities with whom they consulted. The value of their statistical approach—the major body of the book—and the advice of their consultants are partially negated or dismissed with the revealing remark that "the test of the soundness of a project such as ours rests, in the final analysis, on the clinical 'good sense' and the internal consistency of the integrated result." This convenient court of appeals permits the authors to relegate a significant variation among nondelinquents into the limbo of "fortuitous." Though endomorphs among delinquents exhibit the highest percentage of emotional conflicts—84.9 per cent—they do not get into the accompanying discussion. Even

though numbering only 45, which affects the estimate of significance, this does not fit the general picture of the endomorphic temperament. The inadequacy of the Rorschach material is likely due to the fact that many of its categories are nebulous and highly redundant. The same criticism may be applied to the categorization of somatotypes. It should be carefully noted that comparisons of physiques with traits and factors were not based upon the analysis of each individual but upon groups of physiques. This imposes restrictions upon etiological interpretations, and it certainly imposes restrictions upon the application of the resulting data in individual cases. One of the late Professor E. A. Hooton's (to whom this book is dedicated) favorite examples of the obtuseness of this kind of information was that of the robbers and nonrobbers. Though the two groups could be easily distinguished, individual robbers and nonrobbers could not be discriminated.

The authors have judiciously included a cogent discussion of what they mean by causation and association, and in general are mindful of the "cart-before-horse" fallacy. Nevertheless, the reader will want to reread that discussion upon encountering statements such as one to the effect that low verbal intelligence is more potent in inducing mesomorphs to delinquency than ectomorphs. From the genetical point of view there is little in these data that suggests a genetic basis, even one or more steps removed from the gene.

Good correlations between occupations and constitution have been adequately demonstrated in various studies on such groups as chain store managers, clergymen, nurses, supply officers, and so forth. In these cases there have been a number of functional requirements which make the results as interpretable as the somatotypic differences between football players and tennis players. The study of relationships between the kinds of traits employed in this study and physique types is obviously much more difficult. It is intrinsically likely that more refined techniques, more genuinely etiological observations based on the successive measurement of objective traits on the same individuals over a long period of

time, the use of more rigorous methods such as those employed in population genetics are needed to deal adequately with the "cart-before-horse" fallacy and the other kinds of problems treated in this interesting and comprehensive inquiry. In the meantime it is appropriate that we also use good "horse sense."

W. S. LAUGHLIN

University of Wisconsin

MAURICE H. KROUT (Ed.). *Psychology, Psychiatry and the Public Interest*. Pp. xv, 217. Minneapolis: University of Minnesota Press, 1956. \$4.00.

This reviewer is painfully aware of the pressing public need for adequately trained psychotherapists and so finds it unpleasant to report that this volume does not help us very much toward a solution of the problem.

Some of the authors do an excellent job of describing and defining the research and institutional relationships of psychiatry and psychology. In coming to grips with the highly controversial issue of medical *versus* nonmedical psychotherapists they lose, for the most part, both objectivity and clarity.

For example, in discussing training standards, the powerful professional pressure toward specialty certification in the medical group is ignored, and the lines are drawn between an M.D. degree and a Ph.D. in psychology. If not actually misleading, such a comparison is a confusing and pointless one.

Even greater confusion is expressed about opportunities for training. Some authors claim that psychologists can and do get adequate training for psychotherapy, while others protest that the medical profession *prevents* psychologists from getting adequate training because such training is only available in medical settings. All of this runs along with the theme that medically trained men are not well-trained for psychotherapy.

In the past, only the medical practitioner had both the legal privilege and obligation of treating patients. At least one author states that psychologists are able to carry on therapy on their own responsibility, yet suggests that a psychiatrist be kept on hand

as a "legal protector" to be used when a patient may run amok!

Strange distinctions are made in several papers on the kinds of cases currently treated by psychiatrists and psychologists. There is the surprising statement that psychiatrists "until recently applied themselves exclusively to the diagnosis and treatment of neurosis . . . and of functional and organic psychoses," while psychologists ". . . developed special skills in clinical guidance . . . which often, but not always, led marginally into diagnosis and therapy of the neuroses and psychoses." In other instances psychiatrists are said to treat psychoses while psychologists treat neuroses. *Mental illness* is looked on by one author as a semantic device used by physicians to include in their empire what rightfully belongs to psychology.

The prevalent tone of personal protest leads us away from the basic issue of public interest. As Rollo May notes (in one of the more sensible papers) the essence of the problem is to *insure* that those who are licensed and labelled as psychotherapists are adequately trained. Skilful and responsible psychotherapy can be and has been performed by nonmedical people. The treacherous problem is how to train and license therapists with optimal benefit and minimal risk to the public. This is a serious public problem and deserves to be treated seriously and disinterestedly. Perhaps such a treatment will be achieved soon.

ANDREW S. WATSON

University of Pennsylvania

MARGARET E. RICH. *A Belief in People: A History of Family Social Work*. Pp. x, 190. New York: Family Service Association of America, 1956. \$3.50.

This book by Miss Rich, who was an experienced and enthusiastic practitioner in family casework, describes the family work movement from the times of its earliest beginnings in the pioneer "charity organizations" up to the present day and the Family Service Association of America.

The early years of struggle experienced by the efforts of progressive individuals to build an organization that would fill the

need of family social work is most vividly described by Miss Rich. This is history in the best sense of the word, and it is exciting to see cohesion of purpose and method gradually emerge from the widely divergent beginnings. There were some early founders with a point of view far ahead of their times. In 1817 there is mention made of the founding of the Society for the Prevention of Pauperism. A few years thereafter this organization changed its goal and aims and "devoted its energies to the prevention of juvenile delinquency"! It is reported that the societies early believed "the giver had a responsibility for the effect of his gift." It was this belief, among others, that spurred the early leaders such as Reverend Oscar McCulloch, Mrs. Joseph Shaw Lowell, Robert Treat Paine, and others to continue their untiring efforts for organization on a national level.

A great deal of painstaking research went into the writing of this book. It is a pity that Miss Rich did not live to see it published. She died a few weeks after the manuscript was completed, but she had managed to infuse into the book her own sense of what she calls "the high adventure of social casework." The latter chapters of the book are devoted more specifically to the organization and growth of the Family Service Association. Perhaps these chapters do not have as wide an appeal as the early ones.

Small mention is made of the contribution of psychiatry to this field. This omission is a little difficult to understand in view of the impact of psychiatry on the method and even the aims of social work.

Anyone who is interested in strengthening family life or the phenomena of charity organization in this country will find this book rewarding reading. Staff and board members of social agencies should find it especially interesting.

Through these pages much evidence is given that the early pioneers and organizers in family social work were amply endowed with a strong and dedicated "belief in people."

EVALYN M. STRICKLER

Family and Children's Service  
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KENNETH SODDY (Ed.). *Mental Health and Infant Development*. Vol. I: *Papers and Discussions*; Vol. II: *Case Histories*. Proceedings of the International Seminar of the World Federation of Mental Health at Chichester, England. Pp. xix, 308; v, 289. New York: Basic Books, 1956. \$4.50 each.

Here is documentation of one of the century's most profound efforts of a group from several professions to understand infant development from a mental hygiene point of view. The second volume, which profitably may be read first, contains 13 case histories of so-called normal children in France, Great Britain, and the United States. The first volume consists of papers given by a faculty of 24 leaders from the same three countries.

The occasion was the International Seminar held by the World Federation for Mental Health, at Chichester, England, for three weeks beginning July 19, 1952. The faculty included anthropologists, psychiatrists, educators, pediatricians, psychologists, psychiatric social workers, a non-medical psychoanalyst, public health doctors, and public health nurses. Attendance included 51 persons from 30 countries. The case studies in Volume II were derived from various sources and include contributions from most of the professions represented in the faculty.

As in any such array of data and opinions a reader is aware of the limits of existing knowledge about child development, even though the contributions here presented are impressive. Dr. D. R. MacCalman, Professor of Psychiatry, University of Leeds, observes: "Mental hygiene, as we are experiencing now, is still in its own infancy and, for all the claims to the contrary, even a few years ago psychiatrists and psychologists had little to offer of positive or practical value to the normal mother with her normal child." It was with such humility, becoming to any professional worker, that these learned men and women from Algeria, Thailand, Uruguay, Sweden, and Switzerland, together with assorted doctors from the larger countries, searched for common factors in development faced by parents and their young children and by all those committed

to serving them. Be the cultures primitive or sophisticated, there seems to be much more that is common than uncommon. The nursing of babies in Europe and New Guinea has many similarities, and Europeans and Americans can learn something from the South Seas where there is almost no sucking of thumbs. The feeding habits of babies were given much attention both in case studies and lectures.

Dr. John Bowlby, of Tavistock Clinic, London, speaks of education and security as the "vitamins of mental health." His chapter on mother-child separation points to the threefold sequelae of separation: "increased anxiety and dependency, increased hatred for the mother, and a tendency to turn away altogether from love objects. This extreme result of separation . . . was found among those affectionless characters who cannot give their hearts to anyone because they have suffered too much pain in their early years." Wartime separation of many families appears as a frequent complication, especially in Europe.

Toilet training received almost as much attention as feeding habits. Dr. Edith Jackson, Professor of Pediatrics and Psychiatry, Yale University School of Medicine, quotes from the widely read *Infant Care*, published by the United States Children's Bureau, in cautioning against too early toilet training: "A child can get to feeling that his mother is his enemy if she urges on him things he is not ready for."

Margaret Mead spoke of adaptations in family life as being slower than adaptations in technology. She says: "One of the reasons why we have to have so many books on child care and mother craft today, and Mental Health Congresses, is because people have grown up in one kind of family and have to live in another." Dr. Mead fairly characterizes the Seminar and its findings: "The publication of these case histories, and the discussion which they evoke, should themselves change the way in which interdisciplinary work in child development and child guidance is done tomorrow, and the day after."

HOWARD W. HOPKIRK

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## HISTORY

RICHARD PARES and A. J. P. TAYLOR (Eds.). *Essays Presented to Sir Lewis Namier*. Pp. viii, 542. London: Macmillan & Company; New York: St. Martin's Press, 1956. \$10.00.

Of professional historians in England today none has exerted a more potent influence on historical studies than Sir Lewis Namier. For the son of a Galician landowner, who never held a permanent university post until he was over forty, and who at one time had to go into business in order to save enough money to support himself for a few years in historical research, this is a remarkable achievement. Remarkable also in the diversity of the fields in which his influence has made itself felt. They can best be indicated by mentioning three of Namier's books, each of which has served as a starting point or as a model for further study: *The Structure of Politics at the Accession of George III* (1929); *1848: the Revolution of the Intellectuals* (1944); *Diplomatic Prelude, 1938-39* (1948).

His various interests are reflected in the volume under review which contains contributions from sixteen admirers and friends. Several deal with aspects of English parliamentary history in the eighteenth and nineteenth centuries; a few with social and political trends in nineteenth-century East-Central Europe; the last three with personalities and problems of the great international upheavals of the twentieth century.

Among the contributors there are many whose names count in present-day English historical scholarship: let me only mention (with apologies to others equally deserving) H. R. Trevor-Roper, Richard Pares, E. H. Carr, Hugh Seton-Watson, A. J. P. Taylor, J. W. Wheeler-Bennett. It is impossible, in the space at my disposal, to do justice to the contents of the volume. The general level both of historical interest and readability is remarkably high.

Some of the essays are very specialized, others deal with wider themes. Of these latter I mention, somewhat arbitrarily, "Russia and Europe as a Theme of Rus-

sian History" by E. H. Carr, "The Intellectuals and Revolution: Social Forces in Eastern Europe since 1848" by Hugh Seton-Watson, and "The War Aims of the Allies in the First World War" by A. J. P. Taylor. The last-named essay, deliberately kept strictly matter-of-fact, is nevertheless as pungently and brilliantly written as one would expect of this author.

But a perfect jewel is the essay with which the volume opens, "Oliver Cromwell and his Parliaments" by H. R. Trevor-Roper. Here we are presented with an entirely new interpretation of Cromwell's personality as an explanation of his persistent insuccess in dealing with the central problem of his Protectorship—finding a parliament with which he could work. The picture of the born "back-bencher" Cromwell, who clung to the simple, fundamentally conservative ideal of a return to the lost paradise of the reign of Elizabeth, and who never understood that parliaments, however they might be constituted, had to be "managed" (as she had done); who, man of moods and impulses, kept changing his "system" at every new discomfiture without ever grasping that fundamental truth; that picture is drawn with a masterly sureness of touch.

PIETER GEYL

University of Utrecht

ROYALL TYLER. *The Emperor Charles the Fifth*. Pp. 375. Fair Lawn, N. J.: Essential Books, 1956. \$7.50.

The late Royall Tyler divided his life between historical scholarship and service to international organizations, and the reflections of a practical, modern internationalist on the sixteenth-century internationalist emperor Charles V, his diverse problems, and his achievements, should be of considerable interest both to historians and to students of international relations. This posthumous work, however, is not such a general biography as the title seems to imply. Although the book opens with the birth of the young prince at Ghent in 1500 and a discussion of his complex ancestry, and closes with a chapter on the retirement and death of the weary ruler in Spain in 1558,

it is composed largely of a series of topical studies in which the major problems of Charles's reign (not necessarily in chronological order) are passed in review. Although he devotes one chapter to the financial difficulties in Spain, Tyler is chiefly interested in the detailed description of dynastic, political, and diplomatic negotiation, and most of the chapters deal with imperial policy and its implementation in the various sectors of Europe. A question of balance arises from assignment of three chapters to Hapsburg dealings with England, while France and Italy are disposed of together in one; otherwise the picture is complete, and Tyler's effort to reduce to proper perspective the position of Germany in Charles's calculations is a helpful corrective to the more coherent treatment of Brandi.

Where Tyler permits himself to express general views, he is often suggestive. His intense admiration for the character and purposes of his hero is refreshing, and Charles emerges as a gifted statesman and strategist, at once realistic and idealistic, moderate and considerate, and sincerely devoted to the unity and stability of Europe. Tyler also attributes to Charles a larger measure of success than has been usual, and a more permanent achievement: the separation of the Netherlands from Germany, the "degermanizing" of Austria, and the long establishment of Hapsburg power in Italy. But unfortunately the generalizations are few and far between, and the book as a whole is a mass of narrative detail. Tyler's detail is often vivid and his style lively, although he has not always resisted the temptation to polish off a complex situation with a facile phrase. For illuminating, large-scale analysis, however, one must still prefer Brandi.

It is regrettable that the usefulness of the book will be much reduced by the general absence of documentation, and it may be noted that such slight documentation as appears does not support the claim of the publisher that the book is based largely on archival research. But the maps, the extensive annotated bibliography, the detailed chronology of Charles's life, and the handsome portrait gallery contained in thirty-

eight plates will considerably enhance the value of the work.

WILLIAM J. BOUWSMA

University of California  
Berkeley

RAYMOND G. COWHERD. *The Politics of English Dissent: The Religious Aspects of Liberal and Humanitarian Reform Movements from 1815 to 1848*. Pp. 242. New York: New York University Press, 1956. \$5.00.

Professor Cowherd, a bold man, has ventured into the labyrinth of English sectarian politics as they developed during the century before 1850. Anyone who is to follow him has a right to expect a clear warning about the dangers of being confused by the complex relationships in which the various religious groups stood to each other, and to have some understanding about the flexibility of such terms as Dissenter and Evangelical. Generally, the diligent reader will have some idea where he is at any particular moment, but the author has not always been as helpful or as consistent as he might have been.

The Protestants outside the established church were interested in many reform movements: humanitarian, religious, political, educational, and economic. In all these struggles Dissent was only one of the forces engaged on the reform side. It is a little like following the history of a single regiment through a war. It is necessary to sketch in the general strategy and the liaison with other groups as well as to tell the actual story of what the Dissenters did. This is asking a good deal, and to pack it all into 167 pages so as to give a considerable amount of intrinsically interesting information without getting too badly lost is something of an achievement. Certainly it is made clear that the bodies outside the church were very active and well-organized for making their wants known. Their most important role in politics seems to have been to help in giving religious overtones to demands for reform. On the heads of those who resisted the call to progress the pulpit called down the wrath of God.

Perhaps the chapter on education is the most successful. It shows the groups out-

side the church overwhelming Peel's government with petitions against the bill of 1843 which would have established church-controlled factory schools. In the educational schism, then already decades old, this was one of the decisive moments.

In spite of a correct statement of the case at the end, it is easy to get the impression that the Dissenters were always the main forward-looking elements. A careful reading reveals, however, that this was not the case. The Dissenters in politics had to make their alliances with the Benthamite Radicals or with the Whigs or with Tory Evangelicals of the established church. And sometimes Dissenters opposed rather than promoted reform, as when certain of their leaders took a stand against factory legislation. Liberty, it seems, cuts two ways. After all, it was Jabez Bunting, the leading Wesleyan, who declared that "Methodism is as much opposed to democracy as it is to sin."

CHESTER KIRBY

Brown University

BROOKE HINDLE. *The Pursuit of Science in Revolutionary America, 1735-1789*. Pp. xi, 410. Chapel Hill, N. C.: University of North Carolina Press for the Institute of Early American History and Culture, Williamsburg, Va., 1956. \$7.50.

Professor Brooke Hindle of New York University has written a fascinating book in which he explores the degree to which science was a part of culture in colonial and revolutionary America. Writing clearly in a language which the nonscientist can understand, Professor Hindle draws brief but vivid sketches of the leading American figures in the eighteenth-century scientific scene. Some were teachers, others medical men interested in natural history, while others were business men. The most notable aspect of science in the years before the Revolution appears to have been the consistent devotion of these amateurs, who organized themselves into scientific societies, sent communications to be published in the scientific journals of Europe, and who wrote treatises describing their own observations and discoveries.

As early as 1743, as Professor Hindle points out, Benjamin Franklin set the tone

for the growth of culture, announcing: "The first drudgeries of settling new colonies which confines the attention of people to mere necessities is now pretty well over." In every province, he said, there are many people "in circumstances that set them at ease, and afford leisure to cultivate the finer arts and improve the common stock of knowledge." Franklin envisaged a company of learned men, drawn from all the colonies, who might work together to increase man's power "over matter, and multiply the conveniences or pleasures of life."

One of the attractive features of Professor Hindle's book is that it includes not only pure science but also the applied sciences. It is, therefore, at once a contribution to intellectual history and the history of technology or economic history.

Professor Hindle explores fully the way in which the movement for American independence tended to curtail the scientific pursuits, not only of men like Benjamin Franklin and Thomas Jefferson, but of others as well. As he ably demonstrates, such men wished to show the world the "favourable influence that freedom has upon the growth of useful sciences and arts," and they "bequeathed to the future the faith that science would flourish in America and that it would be instrumental in advancing the wealth and happiness of the nation." At the present time, when aspects of science constantly emerge among the foremost problems of the nation, we are fortunate to have a book like this, which so clearly sets forth the background for our understanding of the place of science in the growth of the American republic.

I. BERNARD COHEN

Widener Library  
Harvard University

IAN CHARLES CARGILL GRAHAM. *Colonists from Scotland: Emigration to North America, 1707-1783*. Pp. x, 213. Ithaca, N. Y.: Cornell University Press for the American Historical Association, 1956. \$4.50.

The story of Scottish migration to this continent has been overshadowed by that of the Irish, Scots-Irish, English, Ger-

mans, and Scandinavians. Yet Scotsmen have for three centuries been buying one-way rather than round-trip tickets to many parts of the world, our own included. As his name suggests, Dr. Graham is one of them, with a bachelor's degree from London University and an Illinois Ph.D.

His book begins with 1707, when the full entry of Scotland into the United Kingdom flung the British "dominions and plantations" wide open to traders and migrants from north of the Tweed. It closes in 1783, or rather in 1775, when the American Revolution almost completely stopped trade and migration alike. During the first fifty years the trade mounts rapidly, but the migration is small, save when some special crop of rebels is banished instead of being executed. After 1763, however, and especially during the five years before the outbreak of the Revolution, the human flow gathers volume and speed in a veritable "epidemic fury of emigration" which sweeps England and Ireland as well. Yet Dr. Graham's estimate is that less than 25,000 Scots reached these shores during the twelve prerevolutionary years, and that this figure is probably higher than the total entries between 1707 and 1763.

Five chapters are devoted to the causes and character of the emigration, while three others describe the Scots in their new home. At every stage distinctions are drawn between Lowlanders and Highlanders, and still more between them and the Scots-Irish, whom Dr. Graham regards as a race apart, neither Scots nor Irish. The "forces behind emigration" are dealt with cautiously. Eviction of small farmers by enclosing landlords is deemed not to be of major importance; rather vague influences, such as "perennial grinding poverty" and "the age-old problem of the pressure of population upon a meager stock of the means of substance" are emphasized as constants, while the organized migrations which had characterized earlier decades and now dominated the prerevolutionary years were spurred on by rising rents, hard times, business panic, industrial depression, the seductive invitations of colonial authorities, and the ambition of younger sons of landed families to transplant the clan organization, ways of life, speech, and dress to the

New World. This transplanting scored some brief success, especially in North Carolina and New York, but since many of these Scots communities were Loyalist when the time came to take sides the words Tory and Scot tended to be used as synonyms.

HERBERT HEATON

University of Minnesota

PERRY MILLER. *Errand Into the Wilderness*. Pp. x, 244. Cambridge, Mass.: Belknap Press, Harvard University Press, 1956. \$4.75.

Effectively disguised by its disarming title and the woodcut of an Indian scene on the jacket, this volume contains a series of ten scholarly articles or essays—"pieces," the author modestly calls them—on various aspects of early American intellectual history. Though most of the pieces relate to New England and to the Colonial Period, one deals with Virginia, and there is some spilling over into the Federal Period; obviously there must be some concern with antecedent and contemporary intellectual development in England. The author is an authority in the field of the volume under consideration. All the pieces except the first, the title of which gives title to the volume, have been published already, usually in a quarterly whose character attests the regard in which the work of the author is held.

Space will allow comment on only a few of the essays. "Errand Into the Wilderness" was the task assumed by John Winthrop and his contemporaries as they "migrated to New England of building a revolutionary city where they could exhibit to Englishmen an England that would be as all England ought to be." In a larger sense, it is suggested in a later essay, the "Errand" was what happened and is happening as a result of the coming of the early settlers and the opening of the continent. "The Marrow of Puritan Divinity" traces the subtle modifications made by the Puritans in Calvinist theology; they softened somewhat the doctrine of election and made it advisable for one who thought himself of the elect to give evidence of it by good works. "Religion and Society in the Early Literature of Virginia," while acknowledg-

ing the importance of economic motivation, emphasizes religious motivation in the early settlement of that colony. "The Puritan State and Puritan Society" traces the evolution of the political concept of the social contract within the bounds of Puritan theology. "The End of the World" shows the efforts of Puritans to adjust the concept of the sudden coming of the end of the world and the Day of Judgment to the laws of Newtonian physics, and, dipping into the twentieth century, suggests that the explosion of the atomic bomb over Hiroshima met all requirements of early descriptions of that awful day.

Professor Miller writes for the reader who has an easy familiarity not only with the details of Colonial history and the intricacies of Puritan theology but also with the ideas of John Locke, Bishop George Berkeley, Jonathan Edwards, and others on such abstruse subjects as "The Rhetoric of Sensation," to mention the title of another of the essays. Not a little of the book deals with theology and, as the author himself says, "in the twentieth century . . . theology has become a wearisome desert." However, the pieces are interspersed with humorous comment and will be read eagerly by those interested in the development and influence of theological ideas.

CECIL JOHNSON

University of North Carolina

MANLY WADE WELLMAN. *Rebel Boast: First at Bethel—Last at Appomattox*. Pp. 317. New York: Henry Holt and Company, 1956. \$3.95.

*Rebel Boast* is Mr. Wellman's second major venture into the field of historical biography, although he is an established writer of fiction, a journalist, mystery story writer, and novelist. His biography of Wade Hampton appeared in 1949, and since that time he has written numerous books for boys, some with Civil War themes, as well as several mystery novels.

With the grace and clarity of a successful writer of fiction, Mr. Wellman tells the story of five young kinsmen who marched away from their homes in Enfield, North Carolina, to fight with the Confederate army at Big Bethel. The book chronicles the marching, fighting, loving, and suffer-

ing of these men and other "common" soldiers of the Confederacy—"ragged and hungry and wolf-lean and wolf-deadly," who "left to their children a tale . . . of how a war was bravely fought and bitterly lost" (p. 7).

With the First North Carolina Volunteer Regiment at Big Bethel, and later in Company D, 43rd North Carolina, the five kinsmen encountered hardships and privations quite different from the military adventure they had so eagerly awaited. They survived the terrible slaughter at Gettysburg, barred Grant's way in the Wilderness Campaign, marched with Jubal Early to the very outskirts of Washington, endured the siege at Petersburg, and two of them lived to lay down their arms at Appomattox. Hence their boast—"First at Bethel . . . Last at Appomattox."

The work is based largely upon documentary collections including letters, journals, and other family records. Although the author lists in his bibliography such invaluable references as *War of the Rebellion: Official Records*; R. V. Johnson and C. C. Buel, *Battles and Leaders of the Civil War*; and Douglas Freeman, *Lee's Lieutenants*, it would seem that he paid scant attention to them. Other important published sources which could have materially assisted the author in reconstructing his narrative were entirely overlooked. Especially is this evident in the author's superficial understanding of military strategy and the intricate movements of the battlefield.

Both Mr. Wellman and his publisher have carefully pointed out that none of the book is fiction, yet it is evident that working within the broad outline provided by the facts the author has used his imagination well to develop sense and incident in great detail. The book has a high dramatic appeal, but this reviewer cannot help feeling that the picture has been over-painted. The professional historian might also question a statement which boldly declares that "here is as much of the truth about those five as is possible to discover . . ." (p. 9).

Mr. Wellman's book, nonetheless, is entertaining and useful to the casual reader in acquainting himself with various phases

of Confederate army history. The professional historian should not be blind to its worth because, as Professor Bell I. Wiley of Emory University has pointed out, many aspects of Johnny Reb's soldier life have been greatly neglected. Mr. Wellman certainly knows how to write, and while the book's contribution to scholarship is not phenomenal, it is fascinating and makes interesting reading.

F. JAY TAYLOR

Louisiana College

DUDLEY TAYLOR CORNISH. *The Sable Arm: Negro Troops in the Union Army, 1861-1865*. Pp. xiii, 337. New York: Longmans, Green and Company, 1956. \$6.00.

This is the first survey of the Negro soldiers' role in the Union army since George W. Williams and Joseph T. Wilson published their accounts in 1888. It is, therefore, the first to be produced since the bulk of the pertinent evidence became available. Out of that mass of material the author has fashioned a volume of superior craftsmanship—a timely work, in this decade of civil rights controversy, but also a volume of permanent value.

Professor Cornish traces in orderly fashion, but in lively prose, the whole story from the first discouraging struggles for Negro enlistment, through the first unauthorized Negro units, to the final official recognition of the 1st South Carolina Volunteers in August 1862, the large-scale organization of Negro regiments in 1863, and their broadening employment thereafter. The volume is concerned primarily with problems of general organization and policy, but there are numerous vivid descriptions of Negro units in combat. Two interesting contributions are the treatment of the previously neglected activities of Adjutant General Lorenzo Thomas in raising Negro regiments, and the suggestion that a merit system for selecting officers had its real inception in the establishment of examining boards under the Bureau for Colored Troops which passed on applications for commissions in Negro regiments.

The picture that emerges is a balanced combination of idealism and realism.

Against the many who entered service to fight for their freedom there is balanced the unknown number who were impressed by methods rivaling the African slave trade. Alongside the Brahmin idealism of Thomas Wentworth Higginson and Robert Gould Shaw, there is the ruthlessness of the frontier abolitionists, James H. Lane and James Montgomery, operating in the John Brown tradition, and the opportunism of officers who gained quick promotion by commanding Negro regiments. Balancing the impetuosity of David Hunter and John W. Phelps are Lincoln's calm sense of timing and the effectiveness of Lorenzo Thomas and Rufus Saxton. Alongside the idealistic acceptance of Negroes as soldiers by right there can be found the readiness of soldiers like "Private Miles O'Reilly" to divide with Negroes the "right to be kilt."

In short, the author's apparent impatience with prejudice and irrational stereotypes does not unbalance his judgment. It is his sympathetic perception of real people caught in the paradoxical situations of human conflict that, more than anything else, raises this work above the commonplace level of historical monographs.

GEORGE B. TINDALL

Louisiana State University

STANLEY SIEGEL. *A Political History of the Texas Republic, 1836-1845*. Pp. xiv, 281. Austin: University of Texas Press, 1956. \$5.00.

Among works on Texas, especially those concerning the early history of that area, it is often difficult to discern and discriminate actual fact amid the folklore and legend that have attained, through usage, the stature, though not the soul, of truth.

Mr. Siegel, with a fine background in the history of the South, and a special interest in the development of Texas, has met that challenge and mastered it well. He presents the reader with an unusually well-researched and documented review of a fascinating but very controversial period in Texas history.

By limiting his concern to the short period of the independent Republic of Texas (with an excellent opening résumé of the

events leading to its formation) he has been able to show, in fine detail, the political maneuverings and interrelated personality struggles that resulted in a governmental policy and character still evident today in the continued healthy progress of that area.

It is probably fortunate that Mr. Siegel is not, by heritage, a Texan. He has neatly avoided the appearance of possible prejudice or favoritism in his study and has offered each situation and individual to the reader, with all evidence at hand, for the reader's own judgment.

Most readers, especially those familiar with Texas history, will find frequent surprises in the material presented relating to attitudes and opinions expressed by the various well-known men of the time. Several popular misconceptions are corrected, and many hitherto unknown or misunderstood episodes are brought into their proper relationships.

In considering the trials of the young Republic, the author has brought out very well the many problems concerning foreign relations, especially those with Mexico and the United States. While many readers have long been familiar with the generalities of these negotiations, Mr. Siegel has here added much long needed detail and explanation.

Since colonization of Texas was primarily from the East, it is logical that the predominant political influences would emanate from the population centers formed in the eastern and southern areas. However, one wonders at the lack of evidence, in this work, of any significant influence from the more western sections.

Though Mr. Siegel's book was surely not designed, nor does it appear, as light reading, it is more than just a reference volume. Without sacrificing accuracy, order, or factual detail, he has succeeded in arranging his material so that it is readable almost as a story.

The book is generously, but not excessively, supplied with footnotes, and contains, at the end, a good bibliography and index. With sixteen pages of illustrations, and a map of the area, it has emerged a more than usually attractive history.

The libraries, archives, and private collections of the Southwest contain an unguessed wealth of historical data, but only in works of this type is it made available to the general reader and student. It is a pleasure to see this study added to the bibliography of Texas history.

MURRAY G. SMYTH, JR.

University of Pennsylvania

RICHARD A. PRESTON, SYDNEY F. WISE, and HERMAN O. WERNER. *Men in Arms: A History of Warfare and Its Interrelationships with Western Society*. Pp. viii, 376. New York: Frederick A. Praeger, 1956. \$6.50.

This is a concise, readable account of the notable developments in warfare over the centuries in our Western society. It begins with the Greek phalanx and ends, a mere 300 pages later, with the cold war.

For so brief an account of such a vast subject, the authors have done a most admirable job. The approach is modern-minded, with less concern for antiquarian detail than for the impact of weapons, tactics, and campaigns on society at large. The coverage is good, with more attention to naval warfare than is found in some books on the subject.

The authors' stated aim is ". . . to provide the professional military student with a background for his reading of military history, and to provide the civilian with an understanding of the significance of military developments in the evolution of society."

It is obviously the hope of the authors to lure at least a few civilian readers toward an interest in the historical background of the most important social problem of our time—warfare—by providing them with an account that is interesting and easy to read. In this hope they are joined by your reviewer.

Mr. Preston is Professor of History at the Royal Military College of Canada; Mr. Wise teaches at Queen's University; and Mr. Werner at the United States Naval Academy. Preston and Wise were World War II Air Force officers, and Werner is a Commander in the United States Naval Reserve.



There is a good index and an excellent short bibliography.

WAYNE C. GROVER

The National Archives

EVERETT W. HALL. *Modern Science and Human Values: A Study in the History of Ideas*. Pp. x, 483. Princeton, N. J.: D. Van Nostrand Company, 1956. \$8.00.

Since this study "is addressed primarily neither to scientists nor to historians" but to interested laymen and students who desire a broader cultural framework for their special pursuits, it would not be fair to evaluate it according to standards of original scholarly research. Moreover, the absence of any reference, even for quotations, does not facilitate such undertaking. The scope of the investigation is unusually wide, both in time and in subject matter, extending from the medieval to the contemporary epoch and covering developments in astronomy and physics as well as in political theory, economics, and value theory.

The general thesis the book proposes to vindicate is that medieval science considered facts under categories of value, while modern "value-free" science and the philosophy based on it gradually have eliminated values from the fields of knowledge and denied them any other legitimate abode. The method applied to this purpose is a sort of socioeconomic determinism which frequently remains unconvincing. That, for instance, the rise of the theory of relativity has any correlation to Prussia's rise to political and industrial power (p. 241) is an affirmation which makes sense only if the author's methodological principle is accepted as a dogma. Incidentally, the attempt to give the addressed group of readers an idea of relativity proves, as could be expected, unsuccessful.

In the field of political theory, the author's choice of historic doctrines is somewhat arbitrary and seems dictated by his socioeconomic preoccupation. To omit the decisive contributions of Suárez and Vitoria, Spinoza and Puffendorf distorts the authentic picture of the reported processes. The same preoccupation is manifest in the treatment of the physiocrats whose alleged

dependence on Thomistic-Aristotelian economics (p. 158) tends to conceal the true source of their philosophic inspiration, the ethics of the radically anti-Peripatetic Malebranche.

Some sweeping "value-judgments" in which the author indulges should not remain unchallenged. To call the German romantics, Schlegel, Tieck, and Novalis, "definitely second-rate figures" (p. 194) or to consider Adam Müller's conversion to Catholicism as "sufficient outward evidence of his reactionary inclinations" (p. 196) does not help to rehabilitate value judgments as reliable assertions.

Yet, though not a few of the author's reports and socioeconomic constructions appear at best problematic, some parts of his book may usefully serve as background reading for advanced students. Professor Hall's own theory of values, presented in the last chapter, is stimulating though it hardly meets many objections raised against this kind of interpretation. To go into this matter, however, would exceed by far the limits set to this review.

PAUL SCHRECKER

University of Pennsylvania

AMALES TRIPATHI. *Evolution of Historiography in America, 1870-1910*. Pp. ix, 106. Calcutta: World Press Private Ltd., 1956. Rs. 7/8.

Dr. Tripathi is Assistant Professor of History at Presidency College, Calcutta, and Lecturer in Calcutta University. The present book is based upon a thesis for the master's degree prepared at Columbia University under the direction of Professor Richard Hofstadter. As the author states in his Preface, he is concerned with analyzing the "controlling assumptions" of American historians in the period under study and showing how these assumptions were "related to and affected by the development of the contemporary scene." In the nature of things, this theme requires Dr. Tripathi to deal primarily in that confused, confusing, and unprofitable genre of literature, the presidential addresses to the American Historical Association and their spiritual kin before and after the Association was founded. Dr. Tripathi nowhere

examines in any detail the question of how far the controlling assumptions set forth on such occasions do control. In the reviewer's opinion they are mostly the product of sheer incapacity for thinking in abstract terms plus an uneasy feeling that the occasion calls for having a go at this kind of thing anyhow. That the views expressed have had any great effect upon the speakers' real work as historians seems very doubtful. This is not to deny that historians do have discernible prejudices of a rather crude kind, but these are not the controlling assumptions that Dr. Tripathi has in mind.

If the ultimate relevance of these assumptions is left aside, the pervading animus of this book is that they are primarily conditioned by factors external to the life of the historical profession, and, more specifically, that American historians before Beard and James Harvey Robinson were seeking in "scientific" history an escape from "the objective realities of the Gilded Age." Of this hypothesis it can only be said that Dr. Tripathi's own evidence makes it appear questionable. For he shows that many scientific historians put their scholarship at the disposal of economic conservatism at home and imperialism abroad; from which it might seem that they neither wished to escape from "objective realities" nor did escape. If Dr. Tripathi means that they wished to take sides with respect to living issues while appearing not to, that is something else again, though still doubtful.

Presumably the present book will serve a useful purpose by introducing university students in India to some of the leaders in the organization of a historical profession in America. If, in fact, the book serves no other purpose than to bring to its readers' attention the figure of Henry Adams, who emerges even from this kind of analysis with his vitality intact, they may well regard it as an epoch in their initiation into Western thought. The book is in general very well written. Dr. Tripathi is, however, much given to omitting articles in places where the English language does not permit of this.

DONALD FLEMING

Brown University

## GOVERNMENT AND LAW

ROSCOE C. MARTIN. *TVA: The First Twenty Years*. Pp. xiii, 282. University: University of Alabama Press; Knoxville: University of Tennessee, 1956. \$4.50.

If you approve of the Tennessee Valley Authority as "a venture into socialism," which President Eisenhower once called it, then *TVA—The First Twenty Years* is a glorious description and defense of its varied activities. But if you consider TVA a federally subsidized invasion of the field of electric power generation and transmission, which has ousted privately owned power companies from its service area, the book fails to tell the whole truth. Published jointly by the presses of the University of Alabama and the University of Tennessee, it is based on fifty lectures delivered by nineteen TVA staff members in the first half of 1953 during a course in public administration at Florida State University.

According to the preamble of the TVA Act, it was created to improve navigation, provide flood control, provide reforestation and proper use of marginal lands, provide for agricultural and industrial development, provide for the national defense, and for "other purposes." Among those "other purposes" lies the tail that wags the dog.

During the 1933–53 years, according to TVA's annual reports, the total investment of United States taxpayers in the Authority through Congressional appropriations was \$1,319.5 million, of which \$924.5 million admittedly was in electric power facilities. During the same twenty years, power production and sale showed a net profit before interest on the taxpayers' investment (which TVA doesn't pay) of nearly \$255.8 million. But during the same score of years, the announced major purposes of TVA—the constitutional pegs on which its power activities hang—lost some \$146.4 million, leaving a net profit before interest of nearly \$79.4 million.

However, during the same years, the country's taxpayers had some \$231 million taken from them by federal tax gatherers to cover interest on the funds invested in

TVA, resulting in a net loss to them of nearly \$151.7 million from TVA's complete operations. Carried to the close of the 1956 fiscal year, this loss amounted to more than \$169 million. As the late Wendell Willkie once said, the Tennessee River and its tributaries run through only seven states, but TVA drains the entire nation.

Naturally, none of these facts is contained in this book, nor is any mention made of the fact that while TVA's power generation activities were authorized to prevent the waste of water power—an asset of the people—42.6 per cent of its electric generating capacity was installed in fuel-burning plants at the end of the 1953 fiscal year and 67.5 per cent at the close of the 1956 year.

Admittedly, as the TVA speakers so proudly stated in their Florida lectures, these altruistic, nonprofit major purposes of the Authority have contributed to some extent to advancement of the economy of Tennessee. Yet, despite expenditures by the Federal Government of some \$12.5 billion during the 1933-53 years on TVA dams, hydro- and thermal-generating plants and transmission lines, and on atomic energy plants within the state, the rate of increase in economic activity in Tennessee, according to the United States Department of Commerce, averaged about that of the other ten southeastern states, which received far less in federal outlays.

ERNEST R. ABRAMS

New York, N. Y.

R. J. HAMMOND. *Food*, Vol. II, *Studies in Administration and Control, History of the Second World War*. (Civil Series.) Pp. xiii, 835. London: Her Majesty's Stationery Office; Longmans, Green & Company, 1956. \$9.00 trade, \$7.20 library.

This volume of the history on wartime food control is an interesting, detailed, and well-documented account of the control of fresh fish, eggs, potatoes, and milk; emergency and communal feeding; and consumer rationing. The main sources of information were the files of the Ministry of Food and occasionally other Departments.

The first part is concerned with fresh

fish, eggs, potatoes, and milk which, being wholly or mainly home produced and not having to go through a manufacturing process could not be controlled through Ministry of Food ownership and were therefore regulated by statutory rules and orders. In these efforts the administration was constantly forced by the conflicting interests of a multitude of producers and consumers, and problems of underproduction, overproduction, transportation and distribution, and various degrees of inefficiency in administrative personnel.

Although control of these foods was based on experience in World War I and plans developed in the period between the wars, numerous and repeated changes in regulations had to be made, and fairly effective control was not obtained until the war was more than half over.

The section on emergency and communal feeding reviews the measures taken to counter the destruction of food and food factories, the interference with distribution of foods by air attack, stocking of emergency food supplies, food problems in case of actual invasion, and the lessons learned when the air attacks finally materialized.

The section on rationing makes up the longest part of the book. It traces the development of the rationing system from World War I through World War II. The first part of this section is concerned with the complex problems of issue and renewal of consumers ration books. The second part deals with the even more complex problems of management of supplies to the retailer by means of coupons, returns, and permits.

The rationing system underwent many changes because of more and more foods being placed on the ration list, surpluses or shortages in supplies, and special rationing for certain groups such as miners, seamen, and others.

The information in this book should be of great value in any future attempts to ration or otherwise control food supplies in times of emergency. However, it is too much to expect that it would enable future administrators to develop a practical, smoothly operating plan of food control since such was not developed in World War II, in spite of experience in the previ-

ous war and extensive planning in the pre-war period, and conditions in a future emergency may be considerably different.

HAROLD T. COOK

U. S. Department of Agriculture

IRVING BRANT. *James Madison: The President, 1809-1812*. Pp. 540. New York: Bobbs-Merrill Company, 1956. \$6.50.

As in the preceding volume, Mr. Brant continues to painstakingly present Madison as an architect of American foreign policy. Only here Madison is President, instead of Jefferson's Secretary of State. In sustaining his thesis, Brant offers additional evidence to the effect that the traditional idea of Madison as an ineffective leader is founded upon the prejudiced accounts of Federalists, the reports of British ministers who associated chiefly with Federalists, and the historical writings of Henry Adams. He combats this view with primary evidence which must be considered by scholars in a proper reappraisal of the international and domestic conditions that produced the War of 1812.

Repeatedly, he reveals that warlike speeches and papers attributed to the War Hawks were actually inspired by Madison. For instance, he proves a belligerent editorial published in *The National Intelligencer* on April 14, 1812 was written by the Secretary of State, James Monroe, Madison's chief lieutenant, and not by Henry Clay, to whom it was attributed at the time. He demolishes the story that Madison was waited on by a committee of War Hawks and requested to send the House a message recommending war. He presents strong circumstantial evidence that the war manifesto of the House Committee of Foreign Affairs, generally attributed to Calhoun, was written by Monroe after consultation with Madison.

Nor does he find that Jefferson influenced President Madison's foreign policy. The correspondence between them which the Federalists alleged to contain advice from Jefferson on international affairs actually dealt with Merino sheep and kindred agricultural matters.

Madison is presented as a President who

pretended to accept the French assurances about the repeal of the Berlin and Milan decrees at face value because he saw therein a legal excuse for renewing an embargo on British commerce. He hoped the embargo would cause the British to repeal their Orders in Council and stop violating the rights of neutral trade. If not, he was determined to urge a declaration of war upon Great Britain, which he regarded as a far greater menace than France to the territorial expansion and political sovereignty of the United States. In this presentation, Mr. Brant probably attributes too much political foresight to Madison.

Scholars of sectionalism will find in this volume much evidence of a sectional consciousness long before the slavery issue in the Compromise of 1820—a consciousness that was based upon the economic differences between the agricultural exporting society of the South and the commercial interests of New England. Here, too, is a version of the controversial Henry letters that is less favorable to the Federalists than Henry Adams' account in his *History of the United States during the Administration of James Madison*.

But despite these scholarly contributions, Madison as a flesh and blood person does not come forth from his archival tomb to walk across the pages of this volume.

ROBERT L. HILDRUP

University of Virginia

ALEXANDER L. GEORGE and JULIETTE L. GEORGE. *Woodrow Wilson and Colonel House: A Personality Study*. Pp. xvii, 362. New York: John Day Company, 1956. \$6.00.

Among the books published during the Centennial Year of Woodrow Wilson's birth was the one under review. In that respect, it is timely. Moreover, such a book was needed to correct the prejudiced account of House-Wilson relations which appeared in Viereck's *The Strongest Friendship in History* (1932). On the whole, the authors have done their research thoroughly, have presented their arguments convincingly, and have drawn logical conclusions. Especially is this true in the latter chapters of the book.

In the first chapter, however, there are some misstatements of fact. No source is given for the statement that, as a lad, Woodrow habitually cried when songs were sung in his father's church (p. 6). Wilson's father corrected the son frequently in oral discourse, not in written assignments (p. 7). Again, Wilson was named president of Princeton in June 1902, and he entered actively upon his duties in September 1902; he was not "involved in an enervating campus imbroglio" when his father died in January 1903 (p. 10). Finally, some of Wilson's friends did disagree with him without Wilson's concluding that they "no longer cared for him" (p. 32). Josephus Daniels, Henry Morgenthau and John Sharp Williams are examples.

Colonel House, who enters the book on page 75, was unlike Wilson in many ways. Born in the Southwest, of wealthy parents, House had been a world traveler, a youthful prankster and bully who, when he met Wilson, had, for a decade, been the power behind the scenes in the Administrations of four Texas governors. As some have claimed, House was not the first Texan to climb aboard the Wilson bandwagon, but when aboard, House soon took over the reins. For Colonel House, the man and the opportunity united in Woodrow Wilson. For Wilson, the Colonel filled the vacuum created when Paxton Hibben turned against Wilson at Princeton and was dropped by the latter. Refusing all tendered offices, House emerged the man of mystery and silence. He maintained a position of power and a place cooperatively independent.

Both Wilson and House, as the authors clearly reveal, were men ambitious for power. Wilson was determined to offset "the feeling of inadequacy branded into his spirit as a child"; House realized that he could gain prominence only through Wilson's complex personality, and during the seven years that the House-Wilson friendship lasted, the Texan showed a remarkable capacity for self-discipline. Accepting a place on the Peace Commission was House's initial mistake that ultimately led to the severance of his personal and political friendship with Wilson.

Except for influencing political appointments, the only domestic question to which

House gave his talents was the enactment of the Federal Reserve Law. From the very beginning of Wilson's administration, the Texas Colonel was Wilson's roving ambassador abroad. Although House was well aware of the domestic scene, he was the President's voice among the chancelleries of Europe. In foreign relations House rendered to Wilson his greatest service. The writers of this book disclose, and accurately so, that it was over the Covenant of the League of Nations and at the Paris Peace Conference that Wilson terminated his friendship with House. It was at Paris that Wilson's confidence in House was shaken by the intimate counsel which the President's wife gave him.

This book follows Professor Bailey and others in concluding that four-fifths of the opposition to the ratification of the treaty in the United States Senate was anti-Wilson not anti-treaty. This anti-Wilson feeling was fomented by Henry Cabot Lodge. Both Lodge and Wilson revealed unlikable personality traits in their struggle over the ratification of the Treaty of Versailles containing the Covenant of the League of Nations.

Although this book may not be the final word on the unusual friendship between Wilson and House, it certainly is the best that has been written to date. The authors are to be congratulated upon a job well done.

GEORGE C. OSBORN

University of Florida

BASCOM N. TIMMONS. *Jesse H. Jones: The Man and the Statesman*. Pp. 414. New York: Henry Holt and Company, 1956. \$6.00.

When in 1898 Jesse H. Jones, the son of a Tennessee tobacco farmer, arrived in Houston to manage his uncle's lumber business he was an ambitious young man of twenty-four. Endowed with shrewd business ability and unlimited faith in the future of his adopted city, he established himself, in the course of little more than a decade, as one of the city's most distinguished and respected citizens and certainly as its most daring financial genius. Though soon involved in a variety of business enterprises, including banks and newspapers, his

most enduring interest lay in building construction and ownership. During his lifetime he literally changed the skyline of Houston by erecting in that city alone more than thirty skyscrapers. He built a number of others in Dallas, Fort Worth, and New York City. He seldom sold those he had built.

But in spite of his numerous business projects, Jesse Jones found time and energy for a great variety of public duties. He took the initiative in bringing about the dredging of the Buffalo bayou and thus made Houston a flourishing seaport. During the first World War he was Director General of Military Relief for the American Red Cross. In the campaign of 1924 he served the Democrats as Director of Finance, and in 1928 he brought the Democratic National Convention to Houston.

But the most significant public service of Jesse Jones began in 1932 when President Hoover, at the suggestion of Speaker Garner and Senator Glass, appointed him a member of the newly created Reconstruction Finance Corporation. President Roosevelt made him chairman of the RFC and later appointed him Federal Loan Administrator.

That the RFC under the leadership of Jones performed a valuable service during the depression and the second World War few would deny. It restored the banks to solvency; it rescued many of the most important railroads; through the Commodity Credit Corporation it made loans to farmers; it made self-liquidating loans to states and cities; it relieved the real estate mortgage situation by buying preferred stock in mortgage companies; it financed numerous public works throughout the country; and all this it accomplished without financial loss to the government. During the war years, while Jones was Federal Loan Administrator and Secretary of Commerce, he was also head of more than thirty special agencies including such important ones as the Metals and Rubber Reserve Companies and the Defense Plant Corporation.

This biography is one long song of praise in honor of Jesse Jones. Mr. Timmons believes that with minor extensions of power the RFC could have accomplished everything done by all the alphabetical agencies

of the New Deal and probably done them better. He believes that Jones, though often unorthodox in his methods, was the most successful administrator of his day, and he clinches his argument by emphasizing the fact that he, more than any other administrator, continued to enjoy the unbounded confidence of Congress. His final judgment is that Jones was the ablest man he has ever known.

Of course there are villains as well as a hero in the piece. The first among them was Vice President Wallace, but close behind followed Secretary Ickes, and sundry "strange creatures" infecting the administration. The President himself, though he had kept Jones in office for twelve years, does not escape unscathed. His final dismissal of Jones in 1945 is described as the political mistake of the century, explainable only on the basis of declining mental and physical powers.

Mr. Timmons, a prominent newspaper correspondent in Washington and a long time personal friend of Jesse Jones, has written an interesting and valuable biography of a very distinguished figure. But he has not written a critical and objective one. His hero seems almost too heroic and his villains too villainous. An impartial study of the definitive place of Jesse Jones in our recent history awaits the pen of a less biased friend or more critical writer. When Jones heard that his friend intended to write his biography he expressed the hope that the bad as well as the good would be reported. But the only failure Mr. Timmons discovered was that Jones in his youth had been a dismal failure as a cigar salesman.

ELMER D. GRAPER

University of Pittsburgh

ALPHEUS THOMAS MASON. *Harlan Fiske Stone: Pillar of the Law*. Pp. xiii, 914. New York: Viking Press, 1956. \$8.75.

This is not only a biography of the twelfth Chief Justice of the Supreme Court of the United States, but it is a critical study of the development of American constitutional law during the twenty-one years of Stone's service on the Supreme Court (1925-46). The first one hundred eighty

pages describe the preparation of Stone for the court; they recount his early years in New Hampshire and Massachusetts, his studies at Massachusetts Agricultural College, Amherst, and the Columbia Law School, his nineteen years of teaching in the latter institution (the last thirteen as dean), his seven years of legal practice in New York City, and his year's tenure as Attorney General of the United States.

Stone's years on the high court were featured by strong disagreements among the justices concerning the proper role of the court in the American constitutional system. After a brief period he found his place beside Oliver Wendell Holmes, Jr. and Louis D. Brandeis in dissenting against the conservative majority headed by Willis Van Devanter and James C. McReynolds. The three were in essential agreement that the Constitution implied that the political departments were to have the power to govern and that the court should not strike down legislation merely because it was contrary to the personal predilections of the justices. In case after case the three great dissenters expressed their disagreement with the theory that natural economic laws were beyond the regulatory power of government. The great Holmes departed the court at ninety-two in 1932 and was succeeded by the equally liberal Benjamin N. Cardozo, who took his place beside Brandeis and Stone in fighting for the right of Congress to legislate for the "good life."

With the reshaping of the court by Roosevelt appointments (1937-40), Stone encountered a new problem. The new justices showed a propensity to interpret the Constitution in broad enough language to give free rein to congressional discretion. He countered with his doctrine of judicial restraint. He found himself again in the dissenting role, a role which continued even after he was promoted to the Chief Justiceship in 1941.

Acute as are his analyses of the changes in constitutional interpretation, Alpheus Mason's finest contribution in this elaborate study is the lifting of the screen of secrecy from the internal operation of the Supreme Court mechanism. Though the reviewer feels that publication might well

have been postponed until Stone's colleagues had left the court, revelation of the personal bitterness between justices serves to bring the court down from the high peaks to the level of human institutions. Stone's own personality contributed to these personal disagreements. But one result of unrestrained discussion in conference was the emergence of decisions springing from the hearts and minds of the judges. Sincerity replaced the "massing of the court" under preceding Chief Justices, and the judges' opinions were great improvements over those of former years when empty verbal apologies served for constitutional reasoning. Alpheus Mason has produced a monumental work on the Supreme Court, one that probably will not be equalled for many years to come.

CORTEZ A. M. EWING

University of Oklahoma

ANDREW S. BERKY (Ed.). *The Challenge to American Life*. Pp. 126. New York: G. P. Putnam's Sons, 1956. \$2.75.

Where do we go from here, we Americans?

Andrew S. Berky of the Schwenkfelder Library at Pennsburg, Pennsylvania, two years and more ago, asked five distinguished men, who can be assimilated broadly to the category of educators, to answer this question in a brief lecture series.

The panel was made up of Presidents Harnwell of Pennsylvania, Hutchison of Lafayette, Burns of Williams, Commager of Columbia, and Johnston of the Carnegie Endowment.

The book is stimulating, and it is representative. Part of the stimulus is from annoyance with some of the representatives.

President Harnwell takes the field of science and industry, but it is hard to know exactly what he means by science or industry. He does not mention the extraordinary change in a few centuries from the medieval mentality that accepted miracles and fairies and magic as commonplace, to the matter-of-fact questioning today of anything that is not acceptable under the "laws" of physics and chemistry. In industry he might have mentioned the influ-

ence of cost as distinguished from science in the development of productivity. Industry, like the military, did not always welcome the professors.

President Hutchison discusses "Spiritual Man." Relativism is dangerous, as he says, but his demand to purge the Church of the false philosophy of social progress, and to return it to God's ordinances, absolute, eternal, and applicable, has an assumption of infallibility and absolutism which is really anti-intellectual. He utilizes the usual anti-Communist (and Communist) technique of asserting that if one takes the first step toward the "gentle philosophy of scientific humanism," he therefore will be driven to the extremes of Hungarian suppression. His judgments about the real ethical problems of politicians are juvenile. He seems to lack all confidence in people as they are. "We have been infiltrated. We have been deceived. We are going along with these evils."

The other three essays are of exceptionally high quality. President Burns knows the governmental problem and analyzes it well. He is not quite consistent in trusting the people and distrusting Congress, whose policy-making function he wants to turn over to the President and Executive Department. Perhaps he could help us here by putting in the limitations on popular capacity in referenda (which he omits). They can only pass on the kind of major issues which are really subject to broad popular understanding.

Neither can I agree with him that the political parties in the large urban centers and their periphera, that now contain most of our voting strength (note the concentration of Republican and Democratic attention on them this last fall), offer much opportunity for community leaders really to participate.

Commager's analysis of freedom and the free enterprise of communication is most satisfying and exciting, and Joe Johnston's analysis of the problems of peace is a close second. Both are a pretty thorough answer to President Hutchison.

All of which leaves the real problems of science and industry and their relation to a world like ours a bit neglected. We could do with a more effective analysis of

the relevance to them of religion. Try it again, Mr. Berky!

CHARLES P. TAFT

Headley, Sibbald and Taft  
Cincinnati, Ohio

ZECHARIAH CHAFEE, JR. *Three Human Rights in the Constitution of 1787*. Pp. 245. Lawrence: University of Kansas Press, 1956. \$4.00.

"A page of history is worth a volume of logic," writes the late Zechariah Chafee of Harvard, quoting Justice Holmes, and he proceeds to prove it by delving into the origins of three of the less-discussed liberties, fixed not in the Bill of Rights but the original Constitution. They are freedom of Congressmen to debate without fear of penalty, the ban on bills of attainder and ex post facto laws, and freedom of movement for all persons at home and abroad.

The third liberty, not expressly stated in the Constitution, is treated through Supreme Court interpretations of implied rights and reliance on the Universal Declaration of Human Rights.

Chafee is too much the advocate to confine his study to history. His format for the three studies begins with the American right, goes on to explore at length the English origins and development and winds up with sharp critiques of current American lapses from principle.

He would not impair the right of Congressmen to defame private citizens in Congress, but he challenges immunity outside those halls even on official missions. He condemns the "test oaths" aimed at real and alleged Communists through virtual trials by Congressional committees as violating the ban on bills of attainder. He deplores the restrictions on travel abroad and entry to the United States aimed at the same targets.

Despite these critiques of present policy, Chafee asserts that his major purpose was to help us remember how these rights grew strong in England before they were embodied in our Constitution. For, he maintains, the future of our liberties depends greatly on the strength of our devotion to the achievements of the past.

I wonder how valid that concept is in a world in which American liberties are



increasingly influenced by events abroad. Historical counsel would seem to count less as we move further away from our English traditions of law into more universal concepts.

Not even those concepts can disregard the basic political problem Chafee poses—"how the few who govern shall be controlled by the many who are governed." In this respect, this limited study, forcefully and engagingly written, contributes to an understanding of principles too readily brushed aside under pressure, yet without whose preservation liberty is endangered.

ROGER N. BALDWIN

American Civil Liberties Union

NORMAN ST. JOHN-STEVAS. *Obscenity and the Law*. Pp. xxii, 289. London: Secker & Warburg, 1956. (Distributed by Macmillan Company, New York.) \$5.00.

Mr. St. John-Stevas is to be warmly congratulated for providing an admirable survey of the treatment of obscene literature in English law. His literary interest combined with his legal training enables him to give a comprehensive account of the subject, tracing its history from the earliest times, and showing the development of the Victorian conscience and the corresponding increases in the severity of the attitude of the law. The difficulty which the law of obscene libel creates in the twentieth century is clearly explained, and one cannot fail to be impressed by the weight of the arguments in favor of reform, and by the proposals here outlined.

It may be thought by some that legislation is not the best solution to this problem. Certainly in dealing with horror literature Mr. Stevas himself doubts the wisdom and necessity for this. But with regard to obscene literature, as we already have laws which prescribe limits to what may be published, it is surely incumbent on us to ensure that these laws are fair and just and consistent with the fundamental principles of the criminal law.

Whether the legal test of obscene libel is so unprincipled in theory as Mr. Stevas makes out is debateable, but this is not the place to argue the point (see the reviewer's article in *Law and Contemporary Problems*, Autumn 1955). It cannot be denied, how-

ever, that the English law of obscene libel and the procedure by way of destruction order under Lord Campbell's Act are capable of being exceedingly harsh in operation. Mr. Stevas and the would-be reformers extol the virtues of the celebrated *Ulysses* case, in which Judge Woolsey and Judge Learned Hand interpreted the law so liberally, and some of their proposals are directly inspired by those judgments. The English judges are sometimes equally liberal in their interpretation (for example, Mr. Justice Stable in *R. v. Martin Secker & Warburg, Ltd.* in 1954), but Mr. Stevas would contend that this is not enough—they cannot be relied on to be liberal in their approach. A Bill was prepared and submitted to Parliament in 1955 designed to carry out a comprehensive reform of the law (this is reproduced in an Appendix), but the House of Commons only found time to give it a cursory glance. It is to be hoped that a further opportunity may arise in the near future for the matter to be considered.

Apart from consideration of the English law, the book contains a short chapter on the United States experience in this matter, and a brief but revealing account of the Irish censorship provisions. Appendices describe developments in the Commonwealth countries, and in certain European and Asiatic countries, and there is a short account of the Roman Index. Altogether it is a most stimulating and provocative book.

J. E. HALL WILLIAMS

London School of Economics

## ECONOMICS

HAROLD L. WILENSKY. *Intellectuals in Labor Unions: Organizational Pressures on Professional Roles*. Pp. xiii, 336. Glencoe, Ill.: Free Press, 1956. \$6.00.

The role and functions of the staff expert in American unions have received some scattered attention in the past dozen years, but this study is the first effort systematically and comprehensively to explore the intellectual's role in the decision-making processes of labor organizations. Wilensky

defines a union "expert" or "intellectual" as one who works full time in the headquarters of a national union as a hired staff man responsible to elected officers and who "brings to the problem at hand a body of specialized information and skill acquired through formal education and/or training on the job." Economists, statisticians, lawyers, industrial engineers, lobbyists, education specialists, and a few other occupations fit the definition. Most accountants and the like do not.

Over 150 experts, plus 37 union officers and a smaller number of private consultants, ex-experts, and "outsiders with labor contacts" were interviewed, reinterviewed, and questionnaired to provide the basic data for the study. The outcome confirms many previously held opinions of the difficult position of experts in the labor movement, refines and elaborates on some of these beliefs, adds certain new insights, and clothes all with the mantle of sociological method, lingo, and newly fashioned terms and typologies of which some, at least, seem needlessly involved and occasionally give the appearance of spurious accuracy. For example:

"4. The most frequent shift of each type [of staff expert] shows these specific patterns: from Missionary to Legislative-Liberal Missionary to Program Professional to Technician Professional; from careerist (Outsider or Rank-and-File) to Technician Professional. Any main type can move in the Politico direction, though the typical source is the Party Missionary. Quitting aside, the final resting place for all change-prone types are Technician Professional and Politico" (p. 172).

The absence of a concluding and summarizing chapter is a defect which, at least from this reviewer's standpoint and probably also from that of the reader, is not entirely compensated for by the brief concluding sections at the close of the main sections of the study.

Some of Wilensky's major findings relate to the role of the expert in strengthening (and occasionally weakening) the leaders' control over the organization; the intellectual's occupational and psychological insecurity (Wilensky's intellectuals have job consciousness, that is they are con-

scious of their own jobs); the high mobility of some staff experts within and outside the labor movement; and the sometimes subtle, sometimes quite clear, distinctions between the standing of the various classes of experts in the labor movement, with lawyers generally occupying a favored position. One of the most interesting generalizations holds that the degree of influence exerted by the expert on trade union policies increases as the question under consideration approaches the periphery of trade union interest. Union policies on the crisis in the Middle East or the Federal Reserve's rediscount rate may be largely staff controlled, but top officers generally take care to maintain tight control over questions involving internal power relations and most collective bargaining issues.

The book is honest and courageous. It will not please all union staffers and officers nor does it have that intention. The few so-called friends in the labor movement which Wilensky is sure to lose do not count for much in comparison with the value of this study as an aid to greater understanding of the role and problems of intellectuals in the employ of labor organizations.

JOHN P. WINDMULLER

Cornell University

JACK BARBASH. *The Practice of Unionism*. Pp. xii, 465. New York: Harper and Brothers, 1956. \$5.00.

A union staff intellectual gives an up-to-date description of the American labor movement which is frankly sympathetic and yet not maudlin. Without much overlap, this book is like the author's earlier *Labor Unions in Action*. It is newsy, well-documented, studiously unpretentious, clearly written—a good antidote for the unthinking antiunionism of the typical undergraduate.

Barbash relies heavily on case material from union and government publications, the commercial press, personal experience, and other sources not readily tapped by the beginning student or the busy practitioner. He uses systematic academic work less than he could have, though he adds a useful bibliographical discussion. His sources

combined with his assumption that "no two situations are alike," and his desire to show us how unions *really* work, make the book rich in descriptive detail, but light and casual in generalization, and a bit loose in organization. It is excellent for getting a "feel" for the stuff of collective bargaining—issues, tactics, and strategy; and internal union government—types and determinants of structure, and problems of administration. A Perlmansque appreciation of "pragmatism" leads Barbash to the insight that the greatest differences between union leaders are not in doctrine but in their skills of planning and administration; some know more than others of what they want from the employer and how to get it. There is a nicely balanced treatment of unions in politics. There are short, competent discussions of strikes, picketing and boycotts, union rivalries, Communists, and racketeers. The chapters on why workers do or do not join unions, union leadership, and the use of technicians, however, seem superficial.

In all, we get more matter-of-fact reporting than we have a right to expect. But occasional lapses into official platitude and piety are inevitable. Dave Beck is pictured as an "articulate exponent of jurisdiction as a proper canon" (p. 96). In later discussion of trade union morality we learn that "invariably the teamsters will not go through picket lines of any kind" (p. 230)—which will be good news to unionists suffering from Teamster torment. Labor economists will be interested to hear that "... 'ability to pay' may be the single most important element in the union's formulation of wage policy" (pp. 128, 407).

The new AFL-CIO has come out firmly in support of three traditional principles: "autonomy" for its constituent internationals (which make the final decisions on jurisdiction, strikes, or anything else); "jurisdiction" (the only moral right the international has to any group of workers or type of work is that granted by the Federation, though this may be modified by National Labor Relations Board unit determinations); "no raiding" (each union shall refrain from cutting in on existing bargaining relationships of other unions). Barbash gives little attention to the ob-

vious conflict between these principles. More important, he glosses over the likely decrease in the worker's right to a union "of his own choosing"—as the Federation in order to resolve the conflict encourages topside deals between internationals, in which they trade groups of workers who were all satisfied in the union they chose before the trade and who feel deprived after. Maybe freedom must be sacrificed so that order may flourish, but this choice is always worth a second look.

Two implicit themes guide Barbash's treatment of the sticky problems of internal union democracy: democracy is mainly responsiveness of leaders to the popular will, not tolerance for organized opposition; and the United States provides a more antiunion environment than any other free society, past or present. He repeatedly invokes the myth of hostile encirclement. Arguing, with Philip Taft, that union machinery for disciplining erring members functions, on the whole, "justly and effectively," Barbash explains the deviations: "the union is, after all, a fighting organization" (p. 72); he justifies the dues checkoff: "... the union is fighting for its life" (p. 160); he explains that many union leaders lack humility: unfortunately, "... it may well be that survival and growth of an 'out' group ... requires a hardness and toughness ..." (p. 409).

If this book were titled "The Social, Political and Economic Impact of Unionism" it would come nowhere near the mark, but on his chosen ground Barbash provides one of the best nontechnical, introductory descriptions of union behavior available.

HAROLD L. WILENSKY

University of Michigan

EDMUND WHITTAKER. *Economic Analysis*. Pp. xiii, 460. New York: John Wiley & Sons; London: Chapman & Hall, 1956. \$6.50.

Professor Whittaker, author of an earlier work on the history of economic theory, has added another volume to the growing list of college texts. This time he has turned his attention to a presentation of the techniques, procedures, and data employed in economic analysis. The book is

intended for use in a second course in economics, taken after the usual introductory course in principles and problems. He has succeeded admirably in his twofold aim, to meet the needs of the practical-minded student of business administration as well as to hold the interest of the theoretically oriented student who plans to do graduate work in economic theory.

The organization of the volume, divided into two parts, is logical; its style is lucid and coherent. The first section deals with principles and procedures (economics as a science, as an art, interpretation of experience, and so forth); the second investigates various facets of today's economy from the viewpoint developed in the first portion of the book (consumption, investment, production, price, and so forth). Graphic and mathematical material is held to a minimum, although I daresay non-mathematicians will find some of the material more difficult than the author imagines. However, some of this material can be skipped without destroying the continuity or value of the book as a text. Difficult concepts such as marginal productivity, Walrasian equilibrium theory, and the Keynesian doctrine of money and employment are presented clearly and simply without distortion which so frequently results from attempts to simplify rigorous, complex ideas.

Part one suffers from the defects of its qualities. That is to say that methodological, philosophic, and mathematical concepts, as for example, multiple correlation analysis, the meaning of the *ceteris paribus* clause, Kant's categorical imperative, Lockean assumptions, and others, are handled too superficially. In exoneration I must add, however, that to do otherwise, would probably have enlarged the book beyond a reasonable and usable size. It is to Whittaker's credit that he attempts to introduce students so early in their careers to these vital methodological issues.

Here then is a text which many instructors will find most useful. Scholars in the fields of the social sciences, particularly those who studied economics many years ago or who have had little or no training in economics, may also want to turn to the volume to get some fruitful insights into

the nature and scope of modern economic analysis.

JULES KOLODNY

New York, N. Y.

NATIONAL BUREAU OF ECONOMIC RESEARCH. *Capital Formation and Economic Growth*. Pp. xiv, 678. Princeton, N. J.: Princeton University Press, 1955. \$12.00.

This publication contains the papers submitted at a Conference of the Universities and comments on these papers. These are grouped in six parts: Part I, Sources and Channels of Finance in Capitalist Countries; Part II, Savings and Finance in the Soviet Union; Part III, The Influence of Enterprise and Business Organization in Advanced Countries; Part IV, The Influence of Enterprise and Business Organization in Underdeveloped Countries; Part V, Technological Progress and Investment; Part VI, General Theoretical Approaches.

It would take too much space in this short review even to list the names and the titles of the papers of the contributors and the commentators, let alone to give an adequate summary of the ideas contained in them. Attention has necessarily to be confined to certain points that strike the reviewer as important. If it is any compensation, the reviewer would like to place it on record that he is quite aware of the gross injustice done to the richness and importance of the book under review by this procedure.

The opening paper on "International Differences in Capital Formation and Financing" by Kuznets assembles with masterly skill the available statistical data on capital formation in several countries, evaluates them properly, and indicates the boundaries of the subject as defined by the available testable knowledge. Kuznets shows that with a given definition of capital formation, the ratios of net savings to net national product for developed and semideveloped countries fall within the limited range of 5 to 15 per cent; those of gross savings to gross national product falling within the range of 10 to 25 per cent. He also shows that the ratios of savings to national income do not appear to be positively correlated with the size

or increase of *per capita* income in that economy, and that foreign capital has played a relatively small role in economic development in the past.

Grossman's paper on current trends in capital formation in the USSR and the comments on it by Kaplan and others are very revealing. Grossman finds that in the USSR in the nonfarm sector of the economy, capital intensive techniques are being preferred so as to avoid costs of urbanization and so forth of workers from the agricultural sector who will migrate to urban areas if less capital intensive techniques were to be adopted in the nonfarm sector. This gives an indication of the consideration that might weigh with a planning authority in regard both to the choice of techniques as well as the criteria for allocating scarce capital resources.

Adolph Lowe's paper on "Structural Analysis of Real Capital Formation" brings to bear new insight on the Harrod-Domar dynamic models of growth. The Harrod-Domar models have been criticized because they are couched in real terms, but they rest on hidden assumptions about money. Lowe points out that these models may be all right with regard to money flows but not in regard to physical resources, unless these are utterly fluid which they never are.

In his paper Kuznets poses what may be one of the central problems of economic development. He writes: "At some phase in the growth of a developed country within the last two centuries there must have been a substantial rise in the capital formation proportions." This period of rising capital formation, it may be inferred, marked the shift from preindustrial to the modern era in these countries. How and why this happened and what factors were responsible for it are obvious questions on which a theory of economic growth must shed light.

And this is precisely what is not done adequately by the whole gamut of ideas thrown up in the conference. This is, however, not surprising because it is partly due to the paucity of information on this phase of the development of the advanced countries. It is also partly due to the complexity of the problem. What may appear to be a favorable factor in one

country might not appear to be so in another. An interesting example is at hand in this very book. Levy maintains that social mobility which prevailed in prerevolutionary China mainly hindered her economic development, and its absence furthered it in Japan, a thesis which, to say the least, runs contrary to the common sense idea that economic development is helped by social mobility.

But the value of this book is not worth one whit less because of this failure, for this in itself contains its saving grace. If it does not answer the questions it raises, still it asks the right sorts of questions, and once the right sorts of questions are asked, the correct answers to them are almost inherent in them.

N. V. SOVANI

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### INTERNATIONAL RELATIONS

LELAND M. GOODRICH. *Korea: A Study of U. S. Policy in the United Nations*. Pp. xi, 235. New York: Council on Foreign Relations, 1956. \$3.25.

Korea is a problem for solution by the United Nations, not for solution by unilateral or bilateral action—this is the United States' policy stand. The intricacies of the methods and events which led to this position and the difficulties which this position impose on the United States are the themes of this succinct yet penetrating account. Dr. Goodrich has taken the problem of Korea in order to explore the broader problems of United States action within the United Nations. Though a murky one, Korea is a showcase of our reliance on and our hope in the United Nations as an effective organ for the preservation of world peace.

Korea, though a familiar word to Americans now, was not so in 1945 when we became directly involved in the affairs of the peninsula. Korea was far away and seemingly outside the area of strategic concern to the United States. In the fall of 1947 the United States government faced with

the problem of "how to extricate itself from an embarrassing situation in Korea" felt that "bringing the question before the General Assembly for a United Nations solution seemed, under the circumstances, the most promising course." As Dr. Goodrich points out there are some who "would argue that the United States could have dealt with the Korea question as effectively, perhaps with greater effectiveness in the long run, if it had never brought the problem before the General Assembly." However, he has very effectively analyzed the subsequent action and concludes that "by developing its policies and actions within a United Nations framework, the United States was able, in co-operation with other members, to demonstrate that aggression does not pay, to broaden and strengthen its solidarity with other members of the United Nations and to increase the sense of security within the free world, while at the same time avoiding a general war."

This story of United States action in Korea and in the United Nations is arranged chronologically, so that it serves as a handy reference volume for the research worker. It is an expanded version of a booklet: *Korea: Collective Measures against Aggression* (International Conciliation, No. 494), Carnegie Endowment for International Peace, New York, October 1953, pp. 131-92. The book is well documented and has a collection of appendices. Bibliographic references, almost all from American or United Nations publications, can be found in the footnotes. The book is written by an American for American audiences; thus there is relatively little reference to other viewpoints—especially to those of South Korea. Syngman Rhee is probably the single most important individual in this period of Korea's history. In the book, however, his role is mentioned only rarely and his personality—a definite factor—is not assessed. The book treats rather clinically and theoretically, and not too realistically, the complex events of Korea caught in the midst of international affairs.

American policy in the United Nations on the Korean problem must of necessity be based on realities in Korea and the Far East. The Chinese Communist entrance

into the Korean war, well outlined in this book, illustrates that the "highly complex political problem" of Korea cannot be solved bilaterally by any two powers or outside of a general settlement of Far Eastern problems. The United States has been dealing with the Korean question through the United Nations for the most part; where political excursions outside this framework have been attempted, they have not been very successful. This book, "concerned with the use made of the United Nations," clearly charts some of the possible moves which can be made and some of the difficulties which may be encountered within the United Nations. Thus it is a valuable reference volume for both those interested in Korea and in the United Nations.

SHANNON McCUNE

University of Massachusetts

ALLAN B. COLE (Ed.). *Conflict in Indo-China and International Repercussions: A Documentary History, 1945-1955*. Pp. xxix, 265. Ithaca, N. Y.: Cornell University Press, 1956. \$5.00.

The cumbersome title of this work (for one thing, why not call a war a war?) indicates both the importance of the subject and the standpoint from which it is approached. The documentary history seems to be a popular form of scholarly writing today, presumably because it involves largely editorial functions and requires little in the way of synthetic or critical power. The present volume displays both the merits and the very real dangers of the documentary approach, as well as what seems to the reviewer an excessive propensity for diplomatic details.

With the choice of documents there is little reason to quarrel, except that some of the purely diplomatic ones might have been omitted in favor of certain important documents not included, such for example as the speeches by Vo Nguyen Giap and Ho Chi Minh at Hanoi on March 7, 1946 explaining their reasons for having negotiated with the French. One is also troubled by the fact that the authenticity of certain documents (such as a set of instructions to Chinese Communist personnel going to Vietnam) apparently rests entirely on the au-

thority of the Department of State. That is not to say that the authenticity of these documents is suspect, but merely that further proof would be welcome.

The commentaries which preface the various sections of the book seem to the reviewer to offer an excessive amount of undigested diplomatic detail, much of which hinders rather than helps the reader. For example, the discussion of the Geneva Conference almost totally misses the main feature of the negotiations, the fact that Communist China not only dominated them but also forced Ho Chi Minh to accept a considerably less favorable settlement than nearly every one felt that he was entitled, on the basis of the military situation, to expect. Why? Peking was anxious to appear as a champion of "peaceful coexistence," and it wanted to prevent the Viet Minh from growing too strong.

In sum, the documents in this book will be useful to those with the necessary knowledge to use them. The commentaries should be handled with care. One hopes that some one will undertake to continue the great work of Devillers, which is dismissed a trifle patronizingly in the bibliography, from 1952 down to the present. The author of such a work would find the book under review a considerable help.

HAROLD C. HENTON

Georgetown University

F. JAY TAYLOR. *The United States and the Spanish Civil War, 1936-1939*. Pp. 288. New York: Bookman Associates, 1956. \$5.00.

Dr. Taylor's exhaustive and interesting study might well be read in conjunction with Claude G. Bowers' *My Mission to Spain* (New York, 1954). Where Bowers' book emphasizes the civil war in Spain as seen through the eyes of an historian-ambassador, Dr. Taylor's account is devoted to the reaction of America to that war, to the Embargo joint resolution of January 1937 and the Neutrality Act of the same year, to the conflicting pressures to keep or to revoke the Embargo, to the cold war between pro-Loyalist and pro-Franco factions.

In his account of a controversy which aroused such a high degree of emotion

among so many millions of Americans, it is clear that, like ex-Ambassador Bowers', Dr. Taylor's sympathies lie with the Spanish Republic and that he is something less than convinced of the wisdom of the Embargo legislation. Nevertheless, his account is calm, scholarly and unbiased and lets the record speak for itself.

For that record, the author has relied in main upon two types of material: newspapers, periodicals, books and pamphlets falling into the period of approximately 1936-40, and, therefore, contemporaneous with his subject; and documentary and manuscript material becoming available about a decade after the end of the Spanish war. In particular, he has made good use of diplomatic correspondence in the Department of State archives, including consular reports, dispatches and memoranda; of captured German foreign policy documents; and of the Franklin Delano Roosevelt "Official Files" from the Hyde Park collection. This new material helps to pin down many specific points, but it reveals few secrets. It is surprising how little the material appears to modify the broad picture of the facts reported by competent newspapermen writing at the time of the event. Dr. Taylor has not written revisionist history, but his thorough examination of materials and his scholarly analysis and interpretation make it probable that his book will be basically the standard treatment of the subject.

Like many who have examined the issue, Dr. Taylor finds the public position of President Roosevelt on the Spanish Embargo issue inconsistent with his general philosophy and sympathies—particularly so in light of Mrs. Roosevelt's statement that "... Franklin knew quite well he wanted the democratic (that is Loyalist) government to be successful." But the pressure for the Embargo was too strong, and in this instance, Roosevelt (to use the scheme of analysis of a recent biographer) played the role of the Fox rather than that of the Lion. Most important pressures in Dr. Taylor's account appear to be the influence of Great Britain (then in her Chamberlain phase), the religious pressure (though in fact American Catholics were rather evenly divided as to the merits of the conflicting

parties in Spain), and in particular the predominance of isolationist sentiment in the United States and the widespread belief that it was practicable to "legislate neutrality."

To those who remember the emotionally charged atmosphere surrounding the Spanish Civil War and to younger readers who may wonder what it was all about, Dr. Taylor's account should prove to be a rewarding experience.

HUGH J. PARRY

Paris

HENRY PELLING. *America and the British Left: From Bright to Bevan*. Pp. x, 174. New York: New York University Press, 1957. \$3.50.

This volume, first published in England and now in the United States, traces the development of British Left-Wing political thought—first Liberal and Radical, and later also Socialist—relative to the United States from the controversial days of the Civil War to the equally controversial period of the New Deal and the Second War. It was written by a Fellow of Queen's College, Oxford, and consists of a series of studies of particular issues in British policies which throw light on contemporary views of America. The studies, however, make no attempt to "assess the 'impact' of America in relation to other factors in British politics: and the reader should beware of overestimating the importance of that influence from the selective evidence here presented." Mr. Pelling's research at various American universities and libraries was facilitated by a Smith-Mundt Fellowship which permitted him a year's study in this country.

This is a literary canvas which begins with John Bright (1811-89), millowner and Quaker, Radical M.P. (1843-89), and strong supporter of the North in the Civil War but who never visited the United States; it concludes with Aneurin Bevan (1897-), miner, Labor M.P. since 1929, who has not crossed the Atlantic since 1934, and includes a wide range of British Liberals, Radicals, and Socialists. Excellent biographical data and footnotes are provided by the author. The work throughout is of a scholarly nature, but the style recommends itself to the average reader who is

interested in enlarging his knowledge of the prominent people composing the Left Wing of British politics from 1865 forward.

The announced purpose of Mr. Pelling's book is to demonstrate how the fund of Radical good will for America and its institutions, contrasting with the prejudices of the "educated" classes in the mid-nineteenth century, gradually disappeared in the succeeding decades. In the 1950's the majority portion of the so-called "anti-American" feeling was to be found among the adherents of the Left in British politics. The "cooling-off" process, however, was not unique to Great Britain. Radicals of other countries to some extent at least fell under the spell of enthusiasm for the United States and went through many of the same stages of disillusionment. The diverse factors which made for a change in attitude on the part of Britain included the enormous growth in American industry after the Civil War (which ended the Jeffersonian ideal for a commonwealth based on much simplicity), the increasing participation of America in world politics (which deprived its statesmen of the reputation for disinterested diplomacy derived from the policy of isolation), and the increasing restrictions placed on immigration (which signified the closing of the "golden door" mentioned on the inscription of the Statue of Liberty).

The further development of British Socialism is described as well as its alliance with British trade union leadership at a time when the latter had come to harbor grave fears concerning the growth of industrial monopoly in the States. No comparable alliance of Left-Wing forces was effected in America itself. The last two chapters of this interesting book concern the 1930's and the post-World War II period. They stress the reversal of the old Radical attitude to America, with Socialist ideas leading British workers to distrust American capitalism. "Only the very much more pragmatic view of the British trade union leadership," in the author's opinion, "prevented these suspicions from seriously affecting Anglo-American relations in the years after the war when the Labor Party was in power."

Mr. Pelling concludes that a further change of attitude is indicated "provided



that recent trends are not thrown out of balance by unforeseeable world events." He foresees a more realistic assessment of American society by British Left-Wing thinkers and political leaders. Moreover, he emphasizes that although Anglo-American relations have been subjected to heavy strain in the last decade, principally arising from the different approach of the two countries to Far Eastern problems, "the alliance with America remains, and is likely to remain, as the foundation of British foreign policy."

MARY E. MURPHY

Los Angeles State College

B. S. KEIRSTEAD with the assistance of MURIEL ARMSTRONG. *Canada in World Affairs, September 1951 to October 1953*. Pp. xi, 268. Toronto: Oxford University Press under the auspices of the Canadian Institute of International Affairs, 1956. \$4.25.

This volume, one in a series published under the auspices of the Canadian Institute of International Affairs, is much more than a record of Canada's external relations during two critical years. It is an interpretative account and a reasoned analysis of Canadian foreign policy from 1951 to 1953, written by B. S. Keirstead, Professor of Political Economy at the University of Toronto and a frequent commentator on international affairs for the Canadian Broadcasting Corporation.

Taking the position that foreign policy is not simply a series of separate ad hoc decisions but a set of decisions within a framework of goals and principles, Mr. Keirstead outlines the objectives of Canadian foreign policy. First among these is a stable and peaceful world in which, for the short run, security is provided by the North Atlantic Treaty Organization, with the hope of an eventual settlement negotiated from a strong Western bargaining position. A second goal is the economic recovery of Western Europe and especially of Great Britain, not merely as a matter of sentiment but also because of the importance of the British market to the Canadian economy. In addition, there is a deep Canadian interest in the independence and the economic progress of the

democratic nations of Southeast Asia, an interest stemming partly from Commonwealth ties, partly from the need to contain Communism, and partly from the hope that a strong rapport may be established between Asiatic and European culture. Finally, Canada supports the strengthening of all international bodies, especially the United Nations.

The techniques through which these goals may be attained are classified by the author as political or diplomatic, military, and economic; the greater part of the book is concerned with the application of these techniques to the problems involved in the conclusion of the Korean War, the efforts to establish an effective defensive structure in Western Europe through the European Defense Community and NATO, and the economic consequences of rearmament. Throughout his discussion, he keeps before the reader those internal determinants of policy that restrict the freedom of choice of the policy maker—the regional nature of the Canadian economy, the limitations imposed by the Canadian federal system, and the multicultural pattern of the society.

Along with his analysis of Canadian policy, Mr. Keirstead provides for the American reader a valuable opportunity to see ourselves and our policies as others see us. He indicates the distaste felt by Canadians of all parties for the manifestations of McCarthyism in the United States; he expresses the fears of Canadians that the forces of "non-modern" Republicanism might secure the adoption of American tariff policies harmful to Canada; he criticizes the official American attitude toward Syngman Rhee and our oversimplification of the problems of Japan and Germany. He stresses the inadequacy of military assistance as the principal means of support for the free states of Asia and underlines the importance of adequate provisions for economic improvement: "We have been sending an infant with a water pistol to shoot down a man-eating tiger, and we have been disputing as to whether we have supplied him with enough water."

All of this is done in the spirit of constructive criticism, and he emphasizes that disagreements are unusual occurrences in Canadian-American relations and are con-

sequently those that require analysis and understanding.

KENNETH E. MILLER

Hunter College

KLAUS KNORR. *The War Potential of Nations*. Pp. viii, 310. Princeton, N. J.: Princeton University Press, 1956. \$5.00.

The purpose of this book is to explore and clarify the underlying bases of war potential in modern times. "Potential" is defined as "a collective term for all the relevant elements of military strength other than the armed forces themselves." The emphasis on war potential, rather than military forces in being at a particular time, means that the author's main analysis relates either to a war of extended duration or to an extended period of military build-up as a preparation for possible war. Other war situations are dealt with only obliquely.

A leading feature of the work is the recognition of war potential as a much broader concept than merely economic or industrial strength. Potential military power, says the author, is determined by three things: economic capacity, administrative competence, and motivation for war. The purpose of the book is "identification and appraisal of numerous variable conditions" that affect these components of war potential. Eventually it should be possible, the author believes, to devise concrete and specific ways of measuring the war potential of nations, although admittedly the present work does not go far toward achieving this end.

The economic aspects of war potential are presented in considerable detail, covering such "standard" categories as structure of population, foreign trade and war potential, the analysis of National Product components and necessary changes in these components in a war economy, and so forth. There is an interesting and informative discussion of the importance of flexibility in an economy in order to realize the maximum war potential. The treatment of administrative capacity and the will to fight leaves the reader with a certain sense of frustration, which may be inevitable in view of the perhaps necessary vagueness of the suggestions for measuring these elusive factors.

The most fundamental question about the book is the usefulness of analyzing the capacity of a nation to wage a long drawn out war in view of the changed world conditions in the nuclear age. As the author is fully aware, war potential in the traditional sense may not be significant in the outcome of an all-out nuclear war, which may devastate one or both combatants in a very short time. Nevertheless, he argues, a study of war potential along traditional lines may be warranted by the possibility that the combatants, each possessing nuclear power of totally destructive proportions, may refrain from using it in a major war, or may by tacit or open agreement limit the use of these weapons to strictly military targets. One may question the likelihood that a war in which the major powers are in open combat will continue for very long to be governed by such restraint; aside from this question, what seems more likely is that for some time wars may be local actions of a limited character where the major powers will not be overtly pitted against each other. Under these circumstances, the major determinants of success may be substantially different from those treated in this volume.

EARL C. HALD

Washington, D. C.

### MIDDLE EAST AND AFRICA

HARRY B. ELLIS. *Heritage of the Desert: The Arabs and the Middle East*. Pp. vii, 311. New York: Ronald Press Company, 1956. \$5.00.

Mr. Ellis, author of *Heritage of the Desert*, maintains that comprehension of the internal and external problems of the Middle East depends upon an understanding of the Arab people and an appreciation of their heritage. As Middle East correspondent for the *Christian Science Monitor*, Mr. Ellis demonstrates, by means of the material he presents, that he is well qualified to write on the Middle East. His experience was not gained vicariously, but rather was the result of several years spent in the field—traveling, observing, and in-

interviewing oases dwellers, Bedouin nomads, peasants, and Arab leaders.

In keeping with this philosophy Mr. Ellis reviews, in the first six chapters, the history of the Arabs, their various migrations, the building of an extensive Arab empire, the Mongol invasion and subsequent disintegration of the empire, the conquest and rule of the Ottoman Turks, the penetration of Western influence, the rise of nationalism, and the establishment and failure of British and French mandate rule in the Arab world.

In the succeeding three chapters, the author discusses the search for unity among the Arab states, the impact of westernization on the Middle East, and Soviet infiltration into this area. Mr. Ellis points out that despite a common language and a common religion any real sort of unity among the Arab states does not exist. Inter-Arab rivalries have caused further dissension to the point that the Arab states are not even today in accord as to their attitudes toward Israel. In the author's opinion, unity is not possible until each state coordinates its individual programs toward a common goal. The impact of westernization on the Middle East has been in part responsible for the confused relationships prevalent among the Arab states. It has, postulates Mr. Ellis, caused a rebellion among the young men educated in Western schools against their feudal overlords who are, more often than not, the political leaders. These revolutionists favor a unified Arab world. Westernization has further led to Arab suspicion and distrust of the Western world which, in turn, has opened the way for Soviet offers of new trade agreements, technical aid, and industrial and agricultural equipment to the Arab states. These offers, with seemingly "no strings attached," appear more attractive to the Arabs than military alliances or economic agreements with the Western powers who overtly covet the strategic location and the rich oil reserves of the Middle East.

Mr. Ellis devotes the remaining five chapters to the problems of Lebanon, Jordan, Saudi Arabia, Israel, and Egypt with the same thoroughness, clarity, and unbiased appraisal that he employed in the

previous chapters. This book should prove to be interesting and informative to the layman, interpretive to the scholar, and quite revealing to those who formulate foreign policy.

GEORGE T. RENNER, III

Arizona State College  
Tempe

HAZEM ZAKI NUSEIBEH. *The Ideas of Arab Nationalism*. Pp. xiii, 227. Ithaca, N. Y.: Cornell University Press, 1956. \$4.00.

Arab nationalism has been on the whole badly served by its interpreters to the West. Perhaps this is because it has not yet become fully articulate. Its spokesmen not only express for the most part a local reaction to a particular set of events, they tend to phrase it in terms of an emotionally colored vision of the Arab past and the Arab present and seldom set the lives and aspirations of the Arab peoples within a coherent pattern of ideas. "The literature of Arab nationalism," remarks the author of this book, "is noted for its dearth of political theory." He has accordingly set out to elucidate its content, in the light of the past, and its legacies, the impact of Western concepts, the gropings of various Arab writers, and the episodic discontinuity of political life in the Arab countries. Inevitably, the book as it proceeds takes on more and more the character of a program rather than of an exposition, and a program derived from the special standpoint of its author and his conviction that "nationalism represents the totality of any people's experiences." More especially, as a non-Muslim, he is concerned to diminish or remove the factors of history and tradition which divide the non-Muslim minorities from the Muslim majority. The Arab-Islamic legacy (although "it has been stripped by the tremendous advances in the various domains of the sciences") is conceded to retain significance for Arab nationalism "in order to discover its own essence and sources of strength," but only until adequate formulations are forthcoming of the spiritual values of modern civilization. In order to convert an Islamic into an Arab tradition "in many instances little more is required than a change of

epithet." This belief that intellectual reassessment can change the real forces that have shaped the Arab peoples is repeatedly asserted or implied. "The case is strong for the separation of state and religion. . . . If properly argued, it stands a reasonable chance of winning substantial popular support." On the other hand, Dr. Nuseibeh does not conceal the many uncertainties and dilemmas which have beset both the essays of Arab theorists and the experiments in constitutional democracy in the Arab countries. For their solution he looks to the cultivation of "scientific attitudes" in planning both social reform and economic development and hopes to find in a restoration of the balance between "the spiritual and the material, the political, the economic and the social" that coherent synthesis which will reintegrate Arab national life.

H. A. R. GIBB

Harvard University

E. M. H. LLOYD. *Food and Inflation in the Middle East, 1940-45*. Pp. xiv, 375. Stanford, Calif.: Stanford University Press, 1956. \$6.00.

This timely book deals with methods used by the Middle East Supply Center (MESC) to assure an adequate food supply to the peoples of the Middle East during World War II. The work ranges over a score or more countries and branches out into a number of related fields—strategic, political, financial, and technological. Because of drought the people of the Middle East villages were threatened with starvation, yet badly needed shipping could not be diverted from the war effort. Food supplies had to be obtained by expanding production, centralizing reserves, and preventing hoarding. Cereal-collection schemes were successfully launched in Egypt, Syria, Persia, and Iraq. In Egypt a million acres were shifted from cotton to food production. The armed forces of nearly two million men obtained their cereals from the outside and, with the exception of some Egyptian rice, maintained a flour ration of a half kilo per man.

Ceylon needed rice because other exporting areas were occupied by Japan. Egypt

could have met this demand, but she chose to increase her home consumption by twenty-five per cent. Because of sugar rationing in North America and Britain and increased production in Egypt, the Middle East consumption was maintained at pre-war levels. The key to anti-inflation lay in control of food prices, but it was equally true that collection and distribution of home-produced food depended on controlling inflation. "The two were in fact interdependent and formed part of a combined policy." All this had to be done in a group of countries where there had been no previous concerted action or self-discipline. Also the area was subject to heavy military expenditure in a crucial theatre of war. In addition readers will find here a probing discussion of the connection between inflation and urban food distribution and the methods used to check inflation by the sales of gold.

Since the war, both agricultural and food production have risen twenty-two per cent and population increased about the same. Therefore, production per head has remained at prewar levels. The margin between population growth and the growth of food production is very narrow. "Indeed, technical aid from the outside can contribute little unless it is accompanied by simultaneous advances in education, political stability, and social reforms inside each country." The fact that there was no runaway inflation during the war and hence no violent devaluation afterward has helped the Middle East greatly in the stabilization of its economy.

JOSEPH E. WILLIAMS

Stanford University

LLOYD A. FALLERS. *Bantu Bureaucracy: A Study of Integration and Conflict in the Political Institutions of an East African People*. Pp. xiv, 283. Cambridge: W. Heffer and Sons. No date. 30 s net.

The Soga are a Bantu-speaking people of eastern Uganda. Beginning with their first contact with the British in the middle of the nineteenth century, they have changed from a group of autonomous and mutually hostile kingdoms to a unified part of the Uganda Protectorate, practicing elec-

toral democracy and remoulding their governmental institutions rapidly and steadily as a part of the Uganda state. Much of this change seems to have been in direct response to the introduction of Western concepts of a civil service bureaucracy, political democracy, and social unity. This carefully executed ethnography examines the process of institutional modification and the stress and inconsistencies within tribal society that have been its accompaniment.

As a case study in cultural change, this little book has something for nearly every student of men and their societies. Those interested in leadership will find much of value in the account of the roles of headman and chief under traditional conditions and under colonial administration. The colonial administrator will learn a good deal from Dr. Faller's attention to British officials as both policy enforcers and teachers of a new way of life. Political scientists will be a bit startled at the extent to which one form of social organization can be transmuted into another by democratic rather than totalitarian techniques. Anthropologists will welcome the fullness of the ethnographic materials on another Bantu group.

Psychologists are likely to pose the crucial question: Why did it not all happen long ago? What social cement held the Soga kingdoms together before the British introduced new ideas and helped to implement them into societal forms that permitted a more peaceable and productive way of life? For the strains and inconsistencies that have been the by-products of unification seem far less sharp than those built into Soga social organization during the centuries before the Protectorate.

For Soga organization followed the two lines of kinship and the political state. Within kinship groups, egalitarian relationships prevailed and were strongly reinforced. Within the state system, however, relationships were markedly hierarchical. The sources of conflict are obvious. One finds it difficult to treat others as kinsmen (or nonkinsmen) in one situation and still practice impartial governmental administration. The acceptance of leadership from nonkinsmen is fraught with conflict of loy-

alty. The recruitment of governmental official personnel is subject to nepotistic impulses of uncommon strength involving a particularly large group.

While the superimposition of Western bureaucratic notions and forms of organization amounts to the introduction of institutions in conflict with both the kinship and state systems of the pre-Protectorate Soga, it is not difficult to find the rewards for the eventual and even the rapid acceptance of these new ways. The reinforcements mediating diffusion are relatively easy to understand. But the preservation of traditional Soga society in the face of the inherent stresses resulting from its dual organization remains something of a puzzle. It is a puzzle well worth unraveling. Some basic aspects of group solidarity and cultural cohesion may well be revealed in the process.

EDWARD J. SHOEN, JR.

Columbia University

## EUROPE

J. EDWARD GERALD. *The British Press Under Government Economic Controls*. Pp. xiv, 235. Minneapolis: University of Minnesota Press, 1956. \$4.50.

The issues of press freedom under various economic controls in the Western democracies have been of increasing concern to the managers of mass media and to the theorists of journalism and political science for the past two decades. Regulation of some of the economic activities of the mass media tentatively, but ineffectively, emerged in the United States in the 1930's, but in Britain the government economic controls, imposed in 1939, have been variously continued since the conclusion of World War II to this day. In this volume, Professor J. Edward Gerald, of the University of Minnesota, who had earlier analyzed the situation in the United States in *The Press and the Constitution*, has provided an excellent detailed description, replete with facts, concerning the British press experience since 1939. Moreover, he has written an incisive commentary on the essential issues involved and on the significance of controls. When a government

agency allocates available paper differentially to various papers in terms of the societal functions which the papers are assumed to perform, and similarly allocates to book publishers, that agency has assumed some essential control of the flow of the mass media on the basis of administrative assessments of culture values. Yet, Professor Gerald concludes that the press, in times of emergency, of monetary controls, and of materials shortages, cannot claim exemption from all economic regulation, but that the regulations should be vigorously limited in order to maintain press freedom. He states that "society can very well afford to work out ways to maintain the press as a little-regulated island of private enterprise in the welfare state, regardless of what it does with other parts of the business system, for the sake of having an independent system of mass communication. The press does not require exemption from social security laws, minimum wage or tax laws of uniform application, or exemption from reasonable regulation of the nature and content of advertising. But as a working principle, the freedom of the press precludes an ad valorem tax on advertising and protects the definitions of advertising as an expense which the advertiser may deduct in arriving at net income for tax purposes and it should prevent arbitrary manipulation, through regulation of imports or use of monetary controls, of the supply and price of newsprint and of heavy machinery for use by the press."

The sections of this volume deal with how newsprint controls were administered, newsprint control in peacetime, effect of the government controls on representative newspapers, what happened to ownership and management under economic controls, books under economic controls, efforts to improve performance of the press, and the author's chapters on press freedom and economic controls. This is a sound and well-balanced study which attempts to assess the issues involved in the maintenance of a reasonably free press in an increasingly controlled economy; an issue of great practical, as well as theoretical complexity. It is written with journalistic clarity.

WILLIAM ALBIG

University of Illinois

BURTON PAULU. *British Broadcasting: Radio and Television in the United Kingdom*. Pp. xii, 457. Minneapolis: University of Minnesota Press, 1956. \$6.00.

Dr. Paulu presents a comprehensive and sympathetic study of the British Broadcasting Corporation in all its phases: its background, constitution, and structure; its finances and technical facilities; its staff and its programs; its services at home and abroad, and its television. And to round out the study, the BBC's only British competitor, the newly formed commercial Independent Television Authority (ITA), comes in for its share of analysis and description. Yet, this enormous field is covered clearly, with notes and bibliography, and in eminently readable English. Even the chapter devoted to finances, despite its frightening tables of figures, can be read with understanding!

"BBC" actually comprises three "networks": The "Light Programme," appealing to 70 per cent of the audience; the "Third Programme," appealing to 1 per cent only and "for the educated rather than educational"; and the "Home Service" for the balance. The last is the senior service and is regarded as the keystone of BBC broadcasting. The "Light Programme," according to Dr. Paulu, is "more similar in concept and performance to America's national networks" than either of the others. The "Third" is obviously designed for a very limited audience. But of the "Home Service" Dr. Paulu writes: "If any really 'whole' person should unfortunately be condemned to listening to just one radio network for the rest of his life, he could do no better than to take the BBC's Home Service. . . ." This is high praise indeed.

While television by BBC has so far been similar in spirit to BBC broadcasting, the inauguration of the first independent, commercial television station, 22 September 1955, brought a new kind of blood into the broadcasting picture. Nevertheless, the outcome of the novel competition is not yet determinable. BBC continues its way, and ITA is busy blazing a trail—often with markers imported from the United States.

Dr. Paulu's book, though most scantily sketched here, deserves careful reading, not

only by radio and television enthusiasts but also by a broad segment of the general public. Its occasional comparisons between American and British broadcasting principles and practices are to the point and helpful. Above all, the understanding Dr. Paulu reveals of so diverse an approach to the use of mass media in the public interest is refreshing. This reviewer can only hope that some publisher of paperbacks, some day soon may want to put out a slightly condensed version of *British Broadcasting* for popular consumption. The book fully deserves the widest possible circulation.

PHILIP L. BARBOUR

Norwalk, Conn.

LEWIS J. EDINGER. *German Exile Politics: The Social Democratic Executive Committee in the Nazi Era*. Pp. xiii, 329. Berkeley and Los Angeles: University of California Press, 1956. \$4.25.

This is a scholarly and readable case study of the attempt of the exiled leaders of a great political party to organize, near the boundaries of Hitler's Third Reich, a revolutionary movement against the Nazi dictatorship. Dr. Edinger possesses a remarkable knowledge of the German Socialist movement and also of Marxism-Leninism. He presents the results of his research with superior dialectical skill.

The volume is divided into nine chapters, the first three dominated by the coming of the Nazi revolution, the organization of the exiled committee of the German Social Democratic party, and the subsequent reorganization of the party's policies. The remaining chapters form a study of the failure of the 1934 unity manifesto of the party executive, the United Front episode, the diaspora of the executive officers after the fall of France, Ollenhauer's statesman-like organization of the executive committee in London, and a concluding analysis of "revolution by remote control."

The author shows in detail the attacks on the party executive by revolutionary and Communist leaders, as well as other left wing groups. He emphasizes correctly the importance of the *New Beginning* pamphlet. The vicissitudes of the party executive are traced from the first organization

in Prague through the movement to Paris and the final organization of the London committee.

Dr. Edinger explains the party's tasks to awaken the forces of freedom in Germany, to plan a revolution against nazism, to secure world support, in the name of "the other Germany," for the overthrow of German and international fascism, and to prepare the way for a future German Socialist state. He indicates the failure of the various techniques which the party executive used against the Nazis, including Lenin's organization of the Communist revolutionary movement. Meanwhile, the oppositional slogan of the Comintern, "every communist a leader of five social democratic workers," had its effects both within the Hitler Reich and Western Europe. The German working class in spite of all differences among Marxists was, however, saved from the attempt to impose an alien authoritarian and dogmatic pattern upon the German social democracy. Finally, the author asserts that history was on the side of the exiled Social Democratic leaders, who returned fully justified in their rejection of a united front and uncompromised by any alliance with the Communists.

Dr. Edinger has difficulty with a working definition of political exiles. He disagrees with the "political bias" of Churchill, while ignoring Guido de Ruggiero and F. L. Reinhold, whose "Exiles and Refugees in American History" was published in *THE ANNALS*. The author is correct in stating that not more than one-sixth of the anti-Nazi emigration—about 50,000 persons—were exiles "in the true sense of the word." But he underestimates first the political cohesion of the social democratic masses who remained in Germany, and second the strength of those Germans, independent of any Marxist ideology, who in the national elections from 1919 to 1933 voted with the Social Democratic party.

This well informed book is a comprehensive study of the leaders of the majority of the fifty thousand who were driven from Germany by the National Socialist revolution of 1933. It is scholarly, objective, well-written, and the result of a critical and exhaustive analysis of the available sources. Dr. Edinger's study should

be read by all students of modern Germany.

RALPH HASWELL LUTZ

Stanford University

JOHN GEORGE STOESSINGER. *The Refugee and the World Community*. Pp. vi, 239. Minneapolis: University of Minnesota Press, 1956. \$4.50.

The purpose of this book is to examine the role of international organization as a technique for dealing with the refugee problem.

The refugee problem has always been with us, but never so acutely. Nonconformists have had two choices—flight or conversion, but the twentieth century practically closed these escapes. Hitler's new racism made conversion almost impossible, while immigration restrictions made flight difficult.

The first response of the world community came with the Soviet Revolution in 1917, when voluntary organizations gave relief. In 1921 the League of Nations appointed Fridtjof Nansen to deal with the problem.

The severest refugee crisis came when the Nazi regime touched off the anti-Semitic atrocities. There was no escape through conversion: the German Jew could not become an "Aryan." The democracies took no firm stand, and the extermination policy of the Nazis was tacitly tolerated.

World War II worsened the tragedy. Millions fled before the Nazi armies. Then came upheavals in Asia through the conquests of Japan. These mass dislocations necessitated action, and the United Nations Relief and Rehabilitation Administration was set up.

When the United Nations appeared in 1946, it was faced by this problem. After long debate, the International Refugee Organization was launched; the first experiment of international scope where a determined effort was made to protect the refugee. The IRO did much to repatriate and resettle refugees in new lands. This was difficult because of rigid immigration restrictions. Our Congress would make no change in the quota law of 1924. Despite all obstacles, the IRO rendered signal service. Some governments admitted refugees

on purely utilitarian grounds: they wanted strong laborers, while intellectuals were excluded. After much persuasion certain countries took refugees out of undiluted humanitarian considerations.

The IRO had financial difficulties and ceased operation in 1952. Refugees are still leaving countries where freedom has become extinct. There was Israel, India, and most recently Hungary. The IRO achieved a partial solution of an apparently permanent problem.

Since then several temporary agencies appeared, but their accomplishments have been few. Of all the agencies, the IRO has been outstanding; it has been most unified and integrated in its approach.

The book is an objective presentation of a significant issue in international relations. It is well-documented. It is no polemic but points out clearly some of the problems we still have to face.

WILLIAM C. SMITH

Dana College

MICHAEL BALFOUR and JOHN MAIR. *Four-Power Control in Germany and Austria, 1945-1946*. Survey of International Affairs, 1939-1946. Pp. xii, 390. London, New York and Toronto: Oxford University Press under the auspices of the Royal Institute of International Affairs, 1956. \$7.70.

The Royal Institute of International Affairs has indicated its estimate of the importance of the Allied occupations of Germany and Austria following World War II by including this volume in its well-known Survey Series. Michael Balfour, who served on the staff of the British Element of the Control Commission for Germany during the years 1945-1947, was commissioned to undertake the section dealing with Germany. John Mair, a member of the Political Division of the British Element of the Commission for Austria during the period 1945-1948, was invited to prepare the briefer study relating to Austria. In both studies reliance had to be placed on such American official papers as were available and on unofficial sources in view of the decision of the British Government that no access to official British papers would be permitted until the official histories had



been published. Since the project had to be fitted into the pattern of the survey of international affairs covering the period 1939-1946 conducted by the Royal Institute, the formal scope was limited to the years 1945 and 1946. Actually, however, such a limitation was not strictly enforced, and the German study particularly includes numerous references to events of 1947 and 1948, thus making it a survey covering most of the military government period of the occupation.

Although these are not detailed and technical analyses of the tangled skein of events involved in the occupations of Germany and Austria—the German section runs to 265 pages and the Austrian to 111 pages—they are, nevertheless, important contributions to the literature in these fields. Admirably organized, lucidly presented, and generously footnoted, they present well-balanced and, in perspective, over-all accounts of the early period of the occupations which could not easily be found elsewhere. Despite the participation of their authors in the British section of the occupations, they impress a reader as notably impartial, considering the highly controversial character of what took place. Virtually all aspects of the occupations are dealt with, but their most important contribution is probably the presentation of the attitudes and relations of the four occupying powers. The Balfour study should be especially interesting to students of the occupation of Germany because of the light thrown on the Russian record. The authors were obviously handicapped by not having access to the official records in Britain, but they have made good use of other sources and their personal associations and observations have to a considerable extent made up for such a lack.

HAROLD ZINK

Ohio State University

ELIZABETH WISKEMANN. *Germany's Eastern Neighbours: Problems Relating to the Oder-Neisse Line and the Czech Frontier Regions*. Pp. x, 309. London: Oxford University Press, 1956. \$4.80.

This book, issued under the auspices of the Royal Institute of International Affairs, produced an avalanche of criticism in Western Germany. The objections range from

polemical articles in learned journals to coarse and insulting outbursts in newspapers. The reason for this vexation is simple: Miss Wiskemann presented in her book an objective history and evaluation of the Oder-Neisse line as the de facto frontier between Poland and Germany. Her findings not only do not support recent West German views and claims, but bluntly expose them as revisionist propaganda known from past times. In addition, Miss Wiskemann's strongest documentation is based mainly on German sources.

The record of complicated wartime diplomacy leading to the establishment of this frontier had been diligently compiled and annotated. The documentation leaves no doubt about British and American agreement to give Poland the area up to the Oder and Neisse rivers.

The tragic but unavoidable population transfer after the war is broadly discussed. The author rightfully condemns the mistakes made during the resettlement and at the same time recalls to the Germans much worse precedents when Hitler, with the tacit approval of the German people, resettled and destroyed millions of Poles in order to produce *Lebensraum* for the Germans.

At present there are in Germany three kinds of "expellees": first, those who accepted Hitler's invitation during the war and came voluntarily, in expectation of sharing the benefits of Hitler's war; they were settled mainly in Poland and left or were removed after Hitler's defeat. To the second and largest group belong Germans who fled or were expelled from the area east of the Oder-Neisse line and from the Sudeten area. Finally, the third group are refugees from the Soviet-occupied Eastern zone of Germany.

Miss Wiskemann shows that these newcomers are both a burden and an asset for Western Germany. The booming industry absorbed all who were able and willing to work. Particularly the Sudeten Germans contributed greatly to the recovery and recent economic prosperity of the country. Only the agrarian element creates difficulties in the process of integration. But these are rather an outcome of the obsolete agrarian structure of Germany where land

reform is long overdue. Evaluated in long-term perspective, the newcomers are definitely a biological and social asset for the twice-defeated nation.

The objective and sober approach to complex problems and developments in the border area between Teutons and Western Slavs makes this book a valuable contribution to the understanding of a hotly debated problem of our days. One could object that not knowing the Polish and Czech languages Miss Wiskemann was confined primarily to German sources and their use of Polish and Czech materials. But just this deficiency provides another advantage for the book: based on German sources the author could elucidate just that which German propaganda publications attempt to obscure.

WITOLD S. SWORAKOWSKI

Stanford University

SIEGFRIED KRACAUER and PAUL L. BERKMAN. *Satellite Mentality: Political Attitudes and Propaganda Susceptibilities of Non-Communists in Hungary, Poland, and Czechoslovakia*. Pp. 194. New York: Frederick A. Praeger, 1956. \$4.00.

The Bureau of Applied Social Research has undertaken a qualitative analysis of 300-odd interviews with escapees from Poland, Hungary, and Czechoslovakia. The interviews were conducted in 1951-52, and samples of them were integrated into the study under review. Some of the major headings are: the interpretation of the Soviet yoke, workers' discontent, captive minds, the characterization of nominal and convinced Communists, strong points of the regime, strengths and weaknesses of totalitarian propaganda, forms of resistance, liberation through war, responses to Western communications, and metamorphoses of hope. The material grouped under these challenging titles consists of the appraisals of escapees supplemented by comments and evaluations by the authors.

It is a matter of regret that almost five years have elapsed between the holding of the interviews and the publication of this study. But the unexplained delay has its advantages. While the chapters reflect the thinking of people in Stalin's last years, it

is illuminating to see in the light of more recent events the degree of accuracy of the various opinions and evaluations put forward. Furthermore, in spite of the many important transformations which have occurred in the Soviet orbit since the interviews were held and the samples selected, most of the passages of the book remain surprisingly fresh. It appears from the study that people were less affected by totalitarian propaganda than was generally supposed five years ago. The attitude of some of the escapees was colored by wishful thinking but many of them revealed common sense. In some cases appraisals by the escapees proved more correct in the light of subsequent events than were the cautious evaluations of their statements by the authors. For example, recent events in Poland and Hungary seem to justify the escapees' opinions about the very small number of convinced Communists more than they do the reservations on this point added by the authors (p. 57).

The study as a whole is a provocative presentation of how people feel and react in regard to various factors under Communist dictatorship. It is readable and in many respects gives a more realistic picture of life in satellite countries than do speculative studies on the same subject. But the method applied has its shortcomings. In the opinion of this reviewer, the over-all picture could have been made clearer and more realistic if the appraisals and evaluations of the various questions had taken place separately for each country. Although attitudes towards the Communist regimes were influenced in the case of each person by a great many factors, in a single country at least the national background and political climate would have been the same. For a great variety of reasons, the attitudes towards and expectations from Soviet Russian Communism were different in Poland, Hungary, and Czechoslovakia in the postwar years. The process of sovietization and communization also presented important variations and necessarily provoked different reactions. Although the differing attitudes of Polish, Hungarian, and Czechoslovakian escapees are pointed out many times by the authors (for example, pp. 97, 99, 100, 102-3, 105-6, 129-

30, 136, 143), the fact remains that the mixing of appraisals of individuals belonging to three greatly differing societies blurred the clarity of analysis and lowered the possible common denominators in the various categories. The over-all picture emerging from the samples included in the volume is somewhat clearer for Hungary than for Poland and Czechoslovakia. If the problems had been analyzed separately for the three countries, the final results would probably have offered a clearer picture for each country than the appraisals taken under a great number of headings from individuals with different national backgrounds. This method would have provided a more realistic basis for comparison on the national level.

STEPHEN D. KERTESZ

University of Notre Dame

### ASIA

MAURICE ZINKIN. *Development for Free Asia*. Issued under the auspices of the Institute of Pacific Relations. Pp. viii, 263. Fairlawn, N. J.: Essential Books, 1956. \$4.50.

This book, by the author of *Asia and the West*, grew out of a paper written for the Kyoto conference of the Institute of Pacific Relations in 1953. To it, Mr. Zinkin brought a considerable background of practical experience in India, first as a member of the Indian Civil Service and then on the staff of a large firm. The list of Indian consultants and critics in the Preface is an indication of his acquaintance with the personalities and problems of that country. There is appended a case study of government planning in India. Most of the illustrations adduced are drawn from Indian experience, but the principles they illuminate are of wider application.

This is one of the most realistic books yet written on the problems of economic development, and there is hardly a page without shrewd insights and convincing arguments. Mr. Zinkin does not deal in abstractions from a distance. He knows that development must be of, by, and for the people, and primarily the peasant.

After a preliminary part devoted to definition of the issues and to a sharp distinction between a vague craving for betterment and willingness to pay its price, the argument falls into three parts—economic, political, and social—with most space devoted to the latter.

Population he recognizes as a complication, but except for specific areas of limited resources, it is not an impossible obstacle. The rate of increase in most underdeveloped countries is much less than in the United States or the British Dominions.

The crucial question is how the spring may be touched that will set in motion the energies of self-improvement in village communities that for centuries have been steeped in illiteracy and inertia. Emphasis is laid on education and community development. The politician has a valuable role to play. He must lead, but if the underdeveloped countries are to retain their democratic institutions, he must also be re-elected. The bureaucracy also has much to contribute. Mr. Zinkin knows the weaknesses and the temptations to which both are prone, but realizes that there is an inevitable bias towards planning and state initiative. The peasant doesn't know enough and his resources are too limited to expect him to develop initiative and plan for himself.

Moreover, what he can do must be done within the broad framework of investment, savings and monetary policy, taxation, expenditure for public utilities and for productive enterprise. On all of these topics Mr. Zinkin has penetrating and wise observations.

Within the limits of a brief review it is not possible to summarize or appraise his argument. This is a book to be read and pondered. In the reviewer's judgment it is a notable contribution to the literature of the subject.

J. B. CONDLIFFE

University of California  
Berkeley

KENNETH W. MORGAN (Ed.). *The Path of the Buddha: Buddhism Interpreted by Buddhists*. Pp. x, 432. New York: Ronald Press, 1956. \$5.00.

This volume, one of a series initiated by the National Council on Religion in Higher Education to promote better understanding of non-Christian religions, presents an account of Buddhism in the words of leading Buddhists in various Buddhist countries of Asia. The presentation is not a study in comparative religion but a straightforward presentation of the life and teachings of the Buddha, the spread and development of Buddhism during the past 2500 years, and the beliefs, attitudes, and religious practices of Buddhists in Southern Asia—Ceylon, Burma, Thailand, Cambodia, and in the Mahayana countries: Tibet, China, and Japan.

The various writers depict graphically the daily life of the monks, the techniques of Buddhist meditation, popular customs and traditions at religious shrines, Buddhist art and scriptures, and many other aspects of that religious faith. Also, the wide variations in Buddhist theory and practice as found in the different sects are related.

The bibliography, besides including general secondary works on the two branches of Theravada and Mahayana Buddhism, also lists translations of Buddhist writings.

The glossary includes many of the principal terms used in Buddhism, and, although it does not intend to be exhaustive, will aid the student who is beginning his study of Buddhism.

CECIL H. HOBBS

U. S. Library of Congress

CHITOSHI YANAGA. *Japanese People and Politics*. Pp. ix, 408. New York: John Wiley & Sons; London: Chapman & Hall, 1956. \$7.50.

Three general treatments of Japanese politics were published last year in the United States. This one is by a professor at Yale whose earlier work on modern Japanese history, *Japan Since Perry*, provided background for this interpretation of post-war and contemporary politics. Economizing on space devoted to conditions before and during the war—and even more on trends during the occupation period, the author skillfully conveys the historical depth of such institutions as patriarchy, the Emperor, and bureaucracy. Attention

is paid to the structure and functional realities of government under the Meiji Constitution of 1889, but present and continuing features are emphasized. Perhaps the recurrent comparisons and contrasts with practices in the United Kingdom, France, and the United States have been derived from Professor Yanaga's experience as a teacher. He tends to begin each section with political generalizations, to mention selected Western experience, and then to proceed with the Japanese subject matter.

This is intended as a textbook; indeed, some chapters (for example VII, VIII, and IX on the Cabinet and the Diet, and XIV–XVI dealing with economic planning, law and the judiciary, and the Ministry of Foreign Affairs) are saved from handbookishness only by the sense of vital processes which is conveyed. One can, for example, follow a hypothetical bill—it might just as well have been an actual one—through the drafting and legislative stages.

There is one chapter which deserves special laurels and wide reading. It is the third, discussing Japanese political behavior. This is a gem, for it brings to bear on politics insights into patterns of Japanese emotional life, psychology, and social relations.

All but one of the sixteen chapters, the thirteenth, dealing with bureaucracy, occur in clusters of three. The first group deals with culture and facts of life; the next triad treats organized forces, institutions, and constitutional structure; then come sections on executive and legislative organization and functions, followed by chapters describing the parties and the electoral process. The final three, which have been mentioned parenthetically above, are not the strongest in the book. Description of local government is almost wholly lacking, as is any mention of the Peace Treaty, Security Pact, the Administrative Agreement, and Mutual Security Act from the chapter on "Relations with the Outside World."

Points of difference in interpretation between author and reviewer probably arise chiefly from space limitations. For example, if Japan has been very receptive to foreign influences during certain long periods, the pendulum has also swung in the

other direction. The treatment of religious toleration in Japanese history might give an exaggerated impression, and latent ethnocentrism was hardly noted. Perhaps it is too much to say that the Left Socialists were or are the instruments of Sohyo (The General Council of Trade Unions). But these criticisms, to which should be added the few factual repetitions, do not basically detract from the high merit of *Japanese People and Politics*.

ALLAN B. COLE

The Fletcher School  
Tufts University

PETER BERTON, PAUL LANGER, and RODGER SWEARINGEN. *Japanese Training and Research in the Russian Field*. Pp. xii, 266. Los Angeles: University of Southern California Press, 1956. \$4.00.

The extent of Japanese interest in and knowledge of the outside world, considering the remoteness of Japan from its main centers of creative activity, is often a source of wonderment to Westerners. This interest, however, has a very practical side. To be well-informed about Russia is to be forewarned against the traditional foe; to be familiar with foreign lands and peoples is indispensable to success in foreign trade on which Japan's survival is dependent. Moreover, the Japanese people, denied during three centuries of national seclusion the stimulus and broadening of world-wide contacts, are eager to make up for lost time.

The work under review provides a detailed and well-organized account of the development and extent of Japanese studies in the Russian field from their inception in the latter part of the eighteenth century to the present. These studies were born of Japanese government defense and strategic requirements, and, as far as Russia is concerned, are even more important today. Consequently they continued to expand until 1941 when war conditions caused a set back, resulting in a reduction of Japan's total personnel engaged therein to less than one half of that of the prewar peak. Nevertheless today the output of published material, we learn, substantially exceeds prewar production. We are also told that in popular interest in Russia, Japan ranks first among the nations out-

side the iron curtain; second after the United States in the number of research centers, teachers and students in this field; but surpassed also by Great Britain and West Germany in the volume and quantity of research.

The work is divided into three parts chronologically, and there are seven appendices. Part I deals with the period prior to the Bolshevik Revolution and is very brief. The division between Part II and Part III is V-J day (1945). Each of these two parts describes training, research, and political and cultural organizations rather fully. The final chapter presents a very useful "Summary and Conclusions," ending up with ten recommendations to Japanese scholars, which should, in the opinion of the present reviewer, prove very helpful. The appendices contain tables of contents of selected Japanese publications in the Russian field, programs of meetings and conferences on Russian literature and science, and a list of institutions and organizations interested in Russian subjects.

Only one minor criticism might be mentioned: in the transliteration of Japanese names, identification by the reader would be facilitated if the long *o* sound could be distinguished from the short *o* sound by a diacritical mark.

JOSEPH W. BALLANTINE

South Miami, Fla.

LUCIAN W. PYE. *Guerrilla Communism in Malaya: Its Social and Political Meaning*. Pp. xvi, 369. Princeton, N. J.: Princeton University Press, 1956. \$6.00.

Mr. Lucian Pye, who is an Assistant Professor of Political Science at M.I.T., has made a welcome and careful effort to investigate the guerrilla warfare which has been going on in Malaya for nearly a decade. He undertook this study through field work in Malaya, where he interviewed surrendered "enemy personnel," collecting some sixty selected case histories, with the full cooperation of the British and Malayan authorities, and through the normal working processes of the Center for International Studies at Princeton University. This is a case study of the Malayan Communist party. It takes off from a discussion of Communist doctrine (Part I) which

is a useful summary especially in relation to the role of the peasantry and of geographical base areas in the Mao style. The author then places the MCP in its environmental setting through the various phases that took it through the war, the immediate postwar period, and the emergency or terrorist period (Part II). Two-thirds of the book (Part III) deals with the case histories, seeking to draw from them both specific and general conclusions as to the nature of their political behavior. In the final pages the author makes some suggestions about the problem of creating free and representative institutions in underdeveloped societies.

In these underdeveloped areas, argues Dr. Pye, many persons are losing their sense of identity with the traditional ways of life, and communism appeals most to those who have been affected by the impact of the West. The party offers a sense of personal security in an otherwise hostile and impersonal world; here they can find status, rank, advancement, and the respect of others. "The promise of knowledge is also a promise of action; a sense of futility can be replaced by the spirit of the activist" (p. 8). The Asian Communists are distinguished from other Asians by the fact that they reject their traditional values almost completely and have failed to identify themselves with the new way of life. Peoples' Liberation Communism has about it an extremist quality, within the general framework of world communism, which arises from excessive impatience, a sense of imminent success, and an impetuous drive for power.

A careful examination of sixty case histories provides unusually important data. The cases include old line terrorists who had war experience against the Japanese and some very recent recruits. Dr. Pye is perhaps overly ambitious in attempting to draw too many conclusions from this material for all underdeveloped countries. It is also open to question whether or not he has made his case in claiming that certain policies and tactics of the Communists in Asia are "distinct and unique" (p. 18). Too much is made of the point that the Communists practiced terrorism rather than true guerrilla warfare (p. 95). What they

did seems to have been well adapted to the needs of the situation from their point of view, and in spite of British skill and effort they are still strong and active, not only in the jungles but also in overt political organizations in the cities. The author claims (p. 95) that "guerrilla warfare cannot achieve victories over an enemy vastly superior by conventional military standards," but the British are leaving and the Communists are not liquidated. The statement (p. 285) that the MCP did not "capture or exploit" an already developed spirit of nationalism in Malaya needs modification according to racial groups. Rising Chinese nationalism, especially after 1949, certainly made Malayan Chinese much more susceptible to Communist exploitation. Because India and Indonesia are free their nationals in Malaya are also susceptible to anticolonial appeals.

Our studies of Communist political behavior by the case method have been limited mainly to Europe. Mr. Pye is to be commended for making this contribution to the study of Communists in Asia where the effort has been completely out of balance with the need.

GEORGE E. TAYLOR

University of Washington

CARLOS P. ROMULO and MARVIN M. GRAY.  
*The Magsaysay Story*. Pp. 316. New  
York: John Day Company, 1956. \$5.00.

The reader may regret but must forgive the exuberance of this book by understanding that the Filipino people—the social condition of whose masses is static and one with which they are not content—look upon President Ramon Magsaysay as a Moses who will contrive their escape from bondage and lead them out of the wilderness where for centuries one generation after another has vegetated. They have seen change come to their country, rich with resources for farming and even industry, but very little change of substantial benefit to them.

Because he is from their own rank, they anticipate from Magsaysay's administration a change affecting them favorably with opportunities to forge ahead. They elected him by a huge majority in 1953. He has

not betrayed them—far from it, as the book shows—and there is, therefore, every prospect they will give him a second term in November of this year. Though he has won only “fringe” advantages for the people so far, their faith in him is still strong. He is a product of the soil, and when he campaigns he speaks Tagalog, the language, rather than the dialect of the provinces. Since there has been no such man in Philippines national politics since the death, more than 20 years ago, of the late Senator Teodoro Sandiko, of the same region, the people hear him gladly.

The book shows how Magsaysay rose to leadership as a guerrilla commander in the resistance to Japan during the Pacific war. It also shows that he was magnanimous enough to hold nothing against Filipinos who elected to dissemble their inner feelings and choose a more cautious course.

President Magsaysay's business career which was an exacting test of his probity and ingenuity—putting a bankrupt busline back in the profit column—was brilliantly successful. It was followed by the interval of guerrilla warfare which led to a seat in the Philippines' Congress and chairmanship of its military affairs committee. His open criticism of the tactics against the *Huk* rebels induced the late President Elpidio Quirino to give him command of the Army, and again probity and ingenuity won him the national reputation that made him president. On August 31 this year, in the fourth year of his first term, he will be 50 years old. This is not an old age, even in the Philippines, and it is topped with lusty health.

The book is written by the popular Philippines diplomat, Dr. Carlos P. Romulo, and a collaborator, Marvin M. Gray, a newspaperman. A memorable chapter is the one on the 1953 election. With security at the polls assured by the army and constabulary, and *watchers*, many of them school teachers, seeing to it that the ballots were freely cast; the boxes were sealed and sent to provincial capitals for transmission to Manila. Members of the Election Commission, tantamount to a court, were on duty day and night, and one commissioner set up a cot in his office in order not to delay a moment his action

on complaints. Then Magsaysay was *in*, all right, but when the hurrahing was over and an inventory made, it was found that, as usual, the landed conservatives, the *Nacionalistas*—though of Magsaysay's party—were in decisive control of Congress.

The remainder of the book concerns the tug of war this situation precipitates. Dr. Romulo is himself a politician, so these chapters are expertised. The basic problem is to break the hold of the traditional gentry and ruling class upon the land and over the peasantry. The Philippines and the whole world will benefit from getting that done, but we should not anticipate miracles and expect it to be done overnight. *Moning*, the affectionate term for “Ramon,” will countenance no evasion of rights, or of the courts; no direct action, no violence. The situation is a close parallel to that of England under the Corn Laws. Those laws were not repealed in a day but *in half a century*. If in half a century the agrarian traditions, customs, and laws of the Philippines that are such a drag on their economy are repealed, it will be rather an astonishing change-about; Magsaysay will be remembered in the tentative role of Burke, and some hero, perhaps yet unborn, in the decisive role of Peel.

WALTER J. ROBB

San Francisco, Calif.

### SOVIET UNION

RAYMOND A. BAUER, ALEX INKELES, and CLYDE KLUCKHOHN. *How the Soviet System Works: Cultural, Psychological, and Social Themes*. Pp. xiv, 274. Cambridge, Mass.: Harvard University Press, 1956. \$4.75.

This book represents a revised version of the final report (unpublished) of the Harvard Research Project on the Soviet social system. Its main source is hundreds of interviews conducted with Soviet refugees in Europe and the United States and thousands of questionnaires administered to them. The project was carried out in 1950–51, but the persons interviewed and questioned, with relatively few exceptions,

had left the Soviet Union in the early forties so that, strictly speaking, the facts learned from them are now about 15 years old. But the authors believe, and rightly so, that the system has not substantially changed. Whenever possible they have singled out, for comparison with the rest, data obtained from later refugees, and they have found no substantial difference. Moreover, they have consulted the now numerous monographs on the various phases of the Soviet system and have interwoven what they found there with the findings of the project. Of course the system is not static; in many places the authors mention, in footnotes, changes which they had to make in their final report, prepared when Malenkov was the top man. It is interesting that now, probably one year after the volume was ready for publication, the situation has in certain regards returned to what it was when they were completing the final report.

The presentation of the Soviet system does not follow the usual pattern of political and economic institutions, the family, education and so on. The volume is devoted mainly to the study of informal relations and adjustive mechanisms without which the formal system would probably have collapsed. A substantial part of the book deals with the individual in Soviet society, especially with the sources of dissatisfaction and the attitudes toward the Soviet system and the West. This study is followed by a survey of the differential positions and correlated attitudes of the social classes, generations, and nationality groups. It is obviously impossible to summarize the findings. One may perhaps single out the following: among the sources of dissatisfaction, the collectivization of agriculture occupies the first place, and terrorism the second; low standards of living preoccupy the masses much more than the intellectuals, while the lack of real participation in political decisions, which in the Soviet Union covers almost everything, comes only as a poor fourth. The authors have been surprised to learn that differences of attitudes toward the system depended much more on one's class position and occupation than on membership in the various nationality groups, although among the

non-Russians dissatisfaction with the process of Russification is conspicuous.

The authors conclude by some "forecasts" which, after all, are mere statements about alternatives to which no differential probability is assigned. They seem, however, to believe that return from collective leadership to one-man rule is probable.

N. S. TIMASHEFF

Fordham University

B. H. LIDDELL HART (Ed.). *The Red Army: The Red Army—1918 to 1945; The Soviet Army—1946 to the Present*. Pp. xiv, 480. New York: Harcourt, Brace and Company, 1956. \$6.00.

The character of the Russian peasant is the key to an understanding of the Soviet army. This conclusion runs like a thread through a collection of articles drawn together by the military expert of the London *Times* from the pens of those who have known the Soviet soldiers as allies, as enemies, and as members of the army. Contributors come from world famous soldiers such as Weygand, Guillaume, Guderian, von Manstein and Niessel; equally famous civilians such as Sir David Kelly and Sir Eric Ashby and some astute political scientists such as Leonard Schapiro. Soviet émigrés also add their revealing inside comments.

Being a peasant army it is characterized as accepting discipline blindly, needing no coddling of personnel, operating well in wild terrain, improvising well in little things but lacking in initiative in the absence of superior orders. The purge of the high command in 1937 is even laid to the peasant base; it being said that Stalin faced officers demanding abolition of his sacrosanct collective farm system to improve troop morale. The same peasant base gives a strategist reason to suppose that the army would be vulnerable to atomic attack because the troops, fearing to move without superior orders, would not scatter sufficiently quickly to avoid destruction. One Soviet émigré explains the army's characteristics because of serfdom, and its lack of independent individuals because of the *mir*. A German officer supports his conclusion by reference to the Rapallo years when Soviet



officers took down verbatim the advice of their German tutors and memorized them so that they became doctrinaire rather than imaginative thinkers.

To the political scientist the detailed accounts of campaigns and Soviet equipment may be of secondary interest, but there is much to merit reading as a contribution to an evaluation of Soviet political strength and weakness. Some of the lessons gained by the soldiers are transferable to Soviet political analysis generally. It is true that Soviet politicians are doctrinaire in all things and are shaken with difficulty from positions taken for reason of doctrine. It is also true that Soviet citizens accept authority more readily than Westerners.

Perhaps the soldiers have missed one feature they could not observe, namely the restlessness of Soviet civilian intellectuals and the disgruntlement of this group with the unending demand for discipline. The soldiers have not heard the stirrings of desire for guarantees which might banish fear of personal extinction at a dictator's whim. In these stirrings rises a new factor in Eastern Europe which the soldier critics have not experienced and which helps to explain Hungary and Poland, if not the USSR herself.

JOHN N. HAZARD

Columbia University

BORIS MEISSNER. *The Communist Party of the Soviet Union: Party Leadership, Organization and Ideology*. Edited by John S. Reshetar, Jr. Translated by Fred Holling. (Foreign Policy Research Institute Series, No. 4.) Pp. 276. New York: Frederick A. Praeger, 1956. \$5.00.

*Voprosy Istorii*, emulating the spirit of self-criticism that permeated the Twentieth Congress of the Communist party of the Soviet Union, editorially deplored the backward "state of scholarly treatment of the history of the Party" and pleaded that "it is necessary to put an end to exegesis and dogmatism, to follow undeviatingly Leninist teaching and Leninist method and to create scholarly studies permeated with fresh thoughts, with the spirit of creative burning and inquisitorial investigation, facilitating in this way the victory of communism."

With the Lenin-worship and Communist goals omitted, this indictment and plea have at least a suggestive applicability to the condition prevailing in the United States where, in the absence of adequate reading lists of substantial, objective, and in other ways scholarly publications, pervasive propaganda has imbued everybody with an unquestioned competence to talk about the Soviet Union and the Communist party with dogmatic authoritativeness and moralization, with but a scant and usually biased acquaintance with even the most elementary of the pertinent facts.

The volume here under review is a welcome addition to that slowly accumulating shelf of books on the Soviet Union to which sincere seekers after facts can confidently go without any disquieting suspicions of bias, unwarranted generalizations, and a priori moralizing.

Its two expository chapters, four extensive appendices of Communist documents and writings, and elaborate catalogues of party committees, deal only with the Communist party, its organization, its doctrines and rules, its two most recent congresses, and the personnel of its national and state governing bodies. However, this scope is less restrictive than might at first appear, for it must be remembered that in the Soviet Union there is only one party.

This party, of which only seven and a quarter million of the state's two hundred million people are members, maintains an organization closely paralleling the hierarchy of the Soviet government and plays a dominant role in the Soviet systems. As Nikita Khrushchev has recently stated: "The people, *led by the Party*, armed with Marxist theory—there is the great and invincible force, the creator of the new life, the creator of history."

While the recent party congresses did much to modernize, streamline, centralize, and professionalize the whole party fabric and to replace the "cult of the individual personality" with the idea of collective leadership, the author concludes that "the autocratic ruling organization and its ideological principles have remained essentially unaltered."

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JAMES JOLL. *The Second International, 1889-1914*. Pp. 213. New York: Frederick A. Praeger, 1956. \$3.50.

In August 1914, the internationalism inherent in the European Socialist movement fell victim to the transcendent appeal of nationalism. The failure of the generation of leaders dedicated to the Socialist ideas of international solidarity and international brotherhood to resist the power of this appeal—indeed many were caught up in its dynamism—heralded the demise of the Second International. Though its life was relatively short, much of the history of Western Europe during the 1889-1914 period, particularly of the political and ideological development of the French and German Socialist parties, was interwoven with the development, internecine struggles, and subsequent ineffectiveness of the Second International.

The author, a Lecturer in Modern History at Oxford University, has effectively organized the complex problems confronting the Second International, and the actions and attitudes of the men who dominated its politics, into a compact, interesting narrative. Attention is focused on the development of "European Socialism as it found organized expression in the Congresses and other activities of the Second International." This traditional approach was adopted on the assumption that the complexion of European political life was in no small measure influenced by the interaction of the French and German Socialist parties upon one another and upon the other parties of the International. The doctrinal disputes and political differences dominating the various Congresses are developed with great skill.

In a brief but excellent introductory chapter, setting the stage with the personalities, political currents and ideas of the time, Mr. Joll relates the background behind the establishment of the Second International. From the beginning it was evident that existing differences between the Marxian and non-Marxian Socialists would prove a divisive factor of some consequence. The French Socialist movement, so split as to mirror the varying shades of the political spectrum, never produced the monolithic, disciplined party which was the strength

(and weakness) of the German Social Democratic party. In time, the Germans were in fact "able to impose their policy on the other Socialist parties of Europe, showing in their disregard of the circumstances in other countries a blind insistence on doctrinal uniformity"; and ironically enough, they became the first in 1914 to forsake their own rules and destroy the facade of Socialist solidarity.

The dilemma of nationalism versus socialism remained unresolved. Increasingly, as is made vividly clear, an air of unreality permeated the speeches and resolutions of the International, not only with respect to the pressing questions of militarism and nationalism, but to the approaches to political power as well; 1914 shattered all illusions.

Though covering well-trodden ground, the author develops his theme with sophistication and clarity. The vignettes of the most prominent leaders, that is Jaures, Liebknecht, Bebel, Kautsky and Bernstein, add to the interest and value of this work.

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MICHAEL BORO PETROVICH. *The Emergence of Russian Pan-Slavism, 1856-1870*. Pp. xiv, 312. New York: Columbia University Press, 1956. \$5.00.

This study diligently details the evolution of Russian Pan-Slavism in the nineteenth century to the period prior to the outbreak of the Turkish War of 1877. Attention is devoted principally to the thoughts and activities of the Slavophiles of the reign of Nicholas I and then to the Pan-Slavs of the next generation. The Slavophiles supplied the fundamental ideology to the Pan-Slavs and, indeed, certain adherents of Pan-Slavism such as Ivan Aksakov were among the original Slavophiles. This is rather well-known. What is perhaps not so well-known is the author's documented conclusion that "from 1856 to 1870, Count Ignatiev's efforts notwithstanding, Russian foreign policy was not determined by Pan-Slavism." Later on, of course, it was to buttress the practical aims of Russian diplomacy.

By and large, Mr. Petrovich has succeeded in reducing to coherence the mass of

prolix, frequently half-digested materials produced by the Pan-Slav movement. At the same time he has given us an abbreviated history of Slavic studies in mid-nineteenth century Russia. The documentation is admittedly limited to sources available in non-Soviet libraries.

What impresses this reviewer strongly in Mr. Petrovich's study is the divorce of the content (not the origins) of Pan-Slav ideology from Western European, Slavic, or Russian historical realities. Theories were evolved, ideas were propagated, which can only be called delusions of the nineteenth century. The negative comments attributed by Mr. Petrovich to Granovski and to Gorchakov in regard to these ideologies and to their proponents are apposite. Mr. Petrovich's own position emerges in the comment: "It is a legitimate cause for wonderment that in the face of Slavic disunity, the Russian Panславists could have fabricated an ideology on the basis of such a chimera as the unity of the Slavic world."

Apart from a certain pro-Serb nationalist orientation, a serious objection which can be directed against Mr. Petrovich's treatment is the loose, even unscientific, use of the terms "race," "blood," and "Aryan." Of course, subject matter of this kind has many semantic traps, and with the greatest good will one can fall into them. Even so, it is as jarring to read expressions such as "the Slavic race," with variants, as it would be to come upon the repetition of the "American" or "Anglo-Saxon" race. (For examples see references on pp. 11, 42, 79, 96, 152, 176, 200.) Incidentally, for the date "1942" on p. 108, "1842" should undoubtedly be read. Nevertheless, this monograph is worthy of the serious attention of students of Russian history.

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